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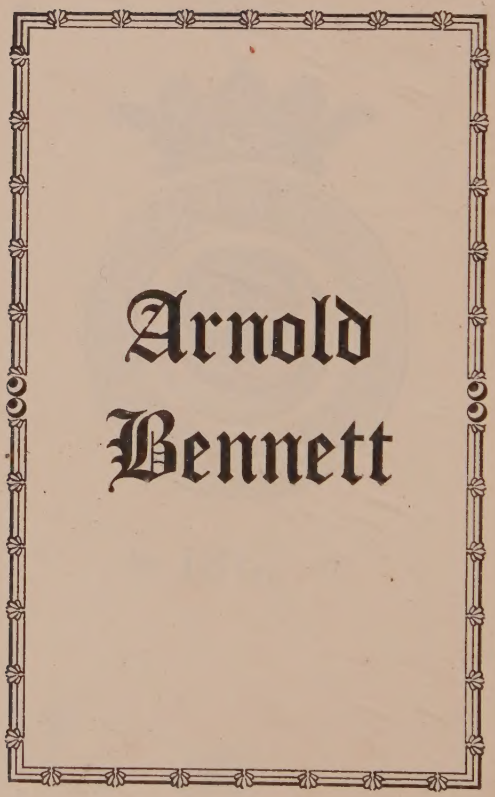

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THE

ANNUAL REGISTER,

OR A VIEW OF THE

HISTORY,

AND

POLITICS,

OF THE YEAR

1841.

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ERRATUM.

In p. 228, of our last Volume (that for 1840), *for* "arrived within the Peshawer's territory," *read* "arrived within the Peshawur territory."

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THE

ANNUAL REGISTER,

FOR THE YEAR

1841.

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THE position of affairs at the commencement of the year 1841 was such as excited a less degree than usual of that keen and lively interest in the public mind which generally attends the period of the re-assembling of parliament. Less curiosity appeared to be felt

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as to the measures and events which the new session was to disclose, less concern and solicitude on either side in the struggles and contentions of the rival parties. This might, no doubt, in great part, be ascribed to the circumstance, that at the time of which we speak, so many of the principal questions which in former years had violently divided the two great parties in the state, had been adjusted or laid to rest. The hopes or apprehensions of the public were no longer excited by the prospect of any further extension of political rights; the outcry for the ballot, or an enlargement of the suffrage, had almost ceased. The established church seemed to be reposing in tranquillity after the storm excited by the assaults of the dissenters; and although the condition of Ireland, that inexhaustible source of controversy and discussion, still presented, in the unsettled question of registration, the materials for renewed party-warfare, the continued and monotonous repetition of Irish topics, which had consumed so large a portion of preceding sessions, had naturally created a weariness and distaste of the subject in the public mind, and had worn out the interest once so keenly felt in the affairs of the sister country.

In the absence of domestic topics of more exciting interest, the important events which had recently taken place on the theatre of the East, and the brilliant success of the British armament on the coast of Syria, formed the chief topics of general discussion and attention; and the unanimity of feeling on events of so much national interest as these signal achievements of the British arms, naturally tended to absorb for a time the narrower impulses of party attachments. The influence of these prosperous events, and the credit generally attributed by candid men of all parties, to the policy and address with which our foreign relations had been conducted to this issue, naturally tended, as far as they went, to strengthen the hands of the party in possession of power, and to introduce, under more favourable auspices, the measures with which they might be prepared to meet parliament. It was evident, nevertheless, that the peculiar situation of parties in the house of commons, which every new election that occurred was bringing to a still nearer equipoise, could not in the nature of things be of long continuance. The bare majority by which, in the preceding session, by continual concession and compromise, and not without the forbearance of their opponents, the whig ministry had managed to carry on the government, had decreased by the casualties of the recess, and was threatened with still further diminution; and unless reinforced by some unexpected accession of strength, or some lucky contingency yet to arise in the chapter of accidents, it was manifest that the transfer of power to the hands of the conservatives, whose strength and confidence had been steadily on the increase, was an event of which the exact period only was matter of uncertainty. And yet so often before had the whig government been apparently on the verge of dissolution, so many times had it weathered the storms which threatened it with destruction, and so great was the influence imputed to the sovereign's reputed predilection for her present advisers, that men were slow to give credit even to the surest prognostications of their approaching displacement, and

regarded the chances of the game as still rather in favour of the party in possession. Neither the hopes nor fears of the community, therefore, were much on the alert when parliament met; party-spirit had perhaps never been less keen, nor speculation less active, in any year that had elapsed since the passing of the reform act.

On the 26th of January the session was opened by her majesty in person, who delivered on the occasion the following speech:—

"*My Lords and Gentlemen,*

"I have the satisfaction to re-receive from foreign powers assurances of their friendly dispositions, and of their earnest desire to maintain peace.

"The posture of affairs in the Levant had long been a cause of uneasiness and a source of danger to the general tranquillity. With a view to avert the evils which a continuance of that state of things was calculated to occasion, I concluded with the emperor of Austria, the king of Prussia, the emperor of Russia, and the sultan, a convention intended to effect a pacification of the Levant, to maintain the integrity and independence of the Ottoman empire, and thereby to afford additional security to the peace of Europe. I have given directions that this convention shall be laid before you. I rejoice to be able to inform you that the measures which have been adopted in execution of these engagements have been attended with signal success, and I trust that the objects which the contracting parties had in view are on the eve of being completely accomplished. In the course of these transactions my naval forces have co-operated with those of the emperor of Austria, and with the land and sea forces of the sultan, and have displayed upon all occasions their accustomed gallantry and skill. Having deemed it necessary to send to the coast of China a naval and military force, to demand reparation and redress for injuries inflicted upon some of my subjects by the officers of the emperor of China, and for indignities offered to an agent of my crown, I at the same time appointed plenipotentiaries to treat upon these matters with the Chinese government.

"These plenipotentiaries were, by the last accounts, in negotiation with the government of China; and it will be a source of much gratification to me if that government shall be induced, by its own sense of justice, to bring these matters to a speedy settlement by an amicable arrangement.

"Serious differences have arisen between Spain and Portugal about the execution of a treaty concluded by those powers in 1835, for regulating the navigation of the Douro, but both parties have accepted my mediation, and I hope to be able to effect a reconciliation between them upon terms honourable to both.

"I have concluded with the Argentine Republic, and with the Republic of Hayti, treaties for the suppression of the slave-trade, which I have directed to be laid before you.

"*Gentlemen of the House of Commons,*

"I have directed the estimates of the year to be laid before you. However sensible of the importance of adhering to the principles of economy, I feel it to be my duty to recommend that adequate provision be made for the exigencies of the public service.

"*My Lords and Gentlemen,*

"Measures will be submitted to you without delay, which have for their object the more speedy and effectual administration of justice. The vital importance of this subject is sufficient to ensure for it your early and most serious consideration. The powers of the commissioners appointed under the act for the amendment of the laws relating to the poor expire at the termination of the present year. I feel assured that you will earnestly direct your attention to enactments which so deeply concern the interest of the community.

"It is always with entire confidence that I recur to the advice and assistance of my parliament. I place my reliance upon your wisdom, loyalty, and patriotism, and I humbly implore of Divine Providence, that all your counsels may be so directed as to advance the great interests of morality and religion, to preserve peace, and to promote, by enlightened legislation, the welfare and happiness of all classes of my subjects."

The address to the throne was moved in the house of Lords by earl Ducie. The noble lord commenced by saying that he was most gratified to find that her majesty had received from foreign powers assurances of their desire to maintain peace. But dear and valuable as peace might be, he was the last person to desire that England should lose her position among nations by a culpable inactivity where her active interference was necessary. Such was the case which had lately arisen in the East, and, in his opinion, we owed a debt of gratitude to the head that planned and to the arms that executed the capture of Acre. He had every reason to believe and hope that our differences with China would be speedily brought to a conclusion. Canada no longer exhibited symptoms of disturbance, but, on the contrary, presented grounds for much satisfaction with reference to the new constitution for the two provinces. With regard to domestic politics, the country was in the enjoyment of quiet. Our agriculture was in a state of the greatest prosperity; our manufactures had recovered from that depressed state in which they had for some time been, and had quite resumed that state of limited and uncertain prosperity beyond which they could not go, so long as there existed restrictive duties of such a nature as rendered it impossible for any foresight and caution to prevent the recurrence of famine prices and their consequences. He did not believe, that, in the history of this country, a better opportunity had ever been offered to the spirit and enterprise of our merchants. The noble lord then referred at some length to the state of our commercial affairs, with the view of showing that the principal causes which had hitherto pressed upon those interests were either removed or in the course of removal. Before concluding, he could not but draw the attention of the house to the uniform success which had attended the policy of her majesty's ministers. He had heard these happy results attributed to good fortune. He was of a different opinion. He referred to the prevalence of domestic quiet, to the firm administration of the laws; and the prospects of peace and extended commerce, he thought, were due to the manly and straightforward course taken by the noble lord the secretary for foreign affairs. There was one other point to which he must call their lord-

ships' attention; he alluded to the safe delivery of her majesty and the birth of an heiress to the throne. This was a subject of thanks to a higher than earthly power, and there was no reflecting person who did not sincerely feel grateful to the all-wise Disposer of events, that there was now every hope that the inheritance of the throne of these realms would descend in a direct line. The noble lord concluded by expressing his confidence that their lordships would cordially adopt this part of the address. The address was then read by the noble lord, and was, as usual, an echo of the speech from the throne.

Lord Lurgan rose to second the address. He began by referring to the recent operations in the East, which he characterised as having been undoubtedly carried on with imminent risk, especially as regarded the friendship between this country and France. He was now inexpressibly delighted to hear that her majesty continued to receive from all foreign powers assurances of their desire to be at peace with this country. He now felt no hesitation in saying, thanks to the present glorious minister of France, that the peace of Europe would be preserved. The noble lord then referred, in terms of great pride and satisfaction, to the recent achievements of the British arms in Syria. These events had proved, notwithstanding what had been said of the deficiencies of our navy and arsenals, that they were in a state of perfect competency for any purpose which might be required. Nothing had been more conspicuous throughout these proceedings than the high principles of integrity and perfect good faith of the British government; there was no pretence for insinuating that England had been influenced in the slightest degree by the desire of territorial aggrandisement. The conduct of our government had been honest, sincere, straightforward, and forbearing. After some remarks on our policy with respect to China, of which he expressed his full approbation, the noble lord briefly adverted to the auspicious event relating to her majesty, which afforded the house so happy an opportunity to offer their loyal congratulation. He trusted that the address would meet with their lordships' cordial and unanimous approval.

Lord Brougham could not let the address pass in silence; he did not mean to oppose it, but only to remind their lordships, that no one who concurred in voting for it pledged himself to any proposition which it contained. He did not find in the present speech, like the noble lord who preceded him, the assurance from all foreign powers of their desire to maintain friendly relations with this country. It was so in the speech of last year, but not in the present speech, and the comparison of the two filled his mind with gloomy apprehensions. No man could more heartily rejoice than himself if the words of the present speech could be applied to our present position with regard to the French government. To be assured that the French government felt an unabated desire to maintain with this country the most friendly relations, would relieve him from the painful impression that the good understanding of the last ten years between France and England had, at least for the present, been terminated, that alliance which had secured the peace of Europe and of the world. The recent vic-

tories of our troops, however honourable to their skill and gallantry, might be regarded with other feelings than those of pure and unmingled congratulation. If what had taken place could be justified, it could only be on the ground of pressing necessity and inevitable danger. He did not assent to the extreme opinion, that the best policy for England was to isolate herself and take no part in the affairs of the continent; but there was a wide difference between never interfering at all and perpetual intermeddling. It was of this excess of interference he complained. It appeared to him as if men or ministers were acting on some strange supposition, as if there were no difference between the British Channel and the Bosphorus, as if Syria were inland, or as if the rule of those countries, whether by the sultan or the pacha, concerned us as nearly as the rule of the French empire under Napoleon. The avowed object of those proceedings, by which the peace of Europe and alliance of France had been injured, was to preserve the integrity and independence of the Ottoman empire. Since when had we begun to think it indispensable to consult for this object? The noble lord then referred to several instances of late years, in which, as he contended, our conduct had been totally at variance with such a policy. Our offer to Mehemet Ali, in May, 1840, of the pachalic of Acre for life, with the fortress, which was the key to Syria—Syria being the key to the Taurus—the Taurus to the Bosphorus—and the Bosphorus to Constantinople, was utterly inconsistent with that object, of maintaining the independence of the Turkish empire, for which we were ready to sacrifice the alliance of France, the only solid basis of the peace of Europe. To talk of renovating or reorganizing an empire which had been not for years, but for reigns, as if stricken with paralysis, a body which had already decayed and fallen to pieces, seemed to him the most chimerical object that could enter the mind of a statesman. If Syria could be restored to Turkey, what reason was there to suppose that she would be able to hold it? The argument urged for our interference in behalf of this object was that of danger; this must mean, on any doctrine of the balance of power, general danger to other countries—danger to the peace of the world. That danger meant nothing more nor less than danger from Russia herself. It was a strange thing indeed that our policy being particularly directed against Russia, that very power was the great patron, if not the original proposer, of the very policy in question. The zeal with which that power entered into the design, convincingly proved that she was to be in reality the great gainer from its result. Russia, perhaps, might lose some temporary advantages, but nothing in comparison of the certain ultimate furtherance of her schemes upon Turkey, which this policy would promote. It was the alliance of France and England which had made it hopeless for Russia to turn her eyes upon Constantinople. To see coldness and mistrust spring up between them was her most cherished aim. In this object she had unhappily thus far succeeded. The government of France was charged with an intention of getting hold of Egypt for herself. Was it more likely that France would attempt to carry such a design into effect if

she remained at amity with us, or that, if she were separated from us and gone round to Russia, who would most gladly combine with her, those two powers should together accomplish the objects respectively attributed to them? He gave full credit to his noble friend (lord Palmerston) for the address and ability he had displayed on this occasion, but, however skilful the mode of conducting it had been, the policy itself might nevertheless be entirely wrong. He wished, before concluding, to make one remark respecting the feeling of the people of this country towards France. Let it not be supposed, on either side of the water, that they had ever felt indifferent to the prospect of a war, or insensible to the inestimable blessings of peace with France. If it had ever entered their heads as a practical notion, that they were on the point of war with France, he knew for certain, that an overwhelming majority of the working classes, the middle classes, and all the liberal party of the nation, would have risen up as one man, and said to the government, "The peace with France shall not be broken, come what may." The noble lord then paid a high tribute to the genius, courage, and military skill of the French nation, and to their honourable and chivalrous character, of which he was sure even the noble duke opposite (Wellington) and his brave companions in arms, would never speak otherwise than most respectfully. The noble duke had always maintained, that France must ever be a great and leading power in Europe, and would have resisted, he was quite sure, any propositions which might have been made at the conferences of the great powers in 1814 or in subsequent years, to encroach upon or to humble her. Trusting to the prevalence of a reciprocal feeling of amity on the part of the French nation, he would conclude by expressing his earnest hope for continued peace between the two nations, and for the tranquillity of the world.

Viscount Melbourne said, he agreed for the most part in the general principles of the able speech they had just heard, though he could not entirely concur in the application of those principles. He did not intend to ask the house to concur in a vote of approbation on the policy which had been pursued until he had laid before them the fullest information on the whole subject—the clearest statement of the whole negotiations: after which he hoped he should satisfy them that a case had existed, if not of absolute necessity, yet a case of stringent policy, imperatively calling on the government to act as it had done for the purpose of preserving the peace of Europe. Above all, he felt sure that when the whole facts were laid before the house, they would be satisfied that there was not the slightest ground for the charge of discourtesy towards France in the manner in which the business had been conducted. His noble and learned friend had asked, what was the real object which they had in view? His answer was, the preservation of peace by the settlement of the affairs of the Levant, and by preserving the integrity of the Turkish empire as much as they possibly could in the state in which it was. As to the alleged inconsistency of our policy in former years with this object, he would not go at length into those subjects, but with respect to the

offers of Egypt and of certain parts of Syria to the pacha, all he would say was, that they arose from an extreme anxiety to settle the matter pacifically and to avert the conjuncture which had arisen. It was evident from papers on the table of the house, that it was the intention of the pacha to establish his own independence, to found a new Mahommedan state on the shores of the Mediterranean, and by further encroachments to make himself the sole or the greatest Mahommedan power in that part of the world. It was the policy of the other powers to prevent the execution of such a design. In his opinion the only charge which could justly be made against them was that of too long delaying to act, but this was owing to their earnest desire to act in concert with France: to have her co-operation with that of the other powers in the pacification of the Levant. They had been disappointed in this, but he still indulged hopes that an agreement of opinion would be come to on this subject. His noble friend had said, that in the course which they had pursued they had served the ends of Russia, who would be the real gainer. What her secret designs might be, he could not say, but he would suggest that it was possible that that power might be desirous to preserve the peace of Europe, and to put a stop to a state of things by which she alone might be compelled to interfere, as she was compelled by solemn treaty to do, for the preservation of the Turkish empire, and by which interference she might have compromised the peace of Europe. He trusted that ere long they should see all the great powers of Europe united on this question with the view of securing the peace of the world. But with reference to his noble friend's remarks, he felt called upon to make this one observation, viz:—that it was not in the power of any one nation to command peace. It could not contest the proceedings of other nations. He would add, that it was not the surest way to avoid war, to declare beforehand that under no circumstances we would resort to that course.

Lord Brougham explained with reference to the concluding remarks of the noble lord, that he had never meant to maintain that this country ought to go to war under no circumstances whatever.

The duke of Wellington expressed his concurrence in the address, which he hoped would be unanimously agreed to. He was one of those who approved of the policy of the measures which had been taken. The state of things in the Levant had for some years excited his anxious attention. He was happy to say he had reason to think that the dangers which menaced the peace of Europe would be averted, and that France would join the other powers in maintaining the peace of the world. He had heard a good deal now and at other times, of what was called the alliance between France and England. Now it was true, that on certain occasions, these two powers had acted in concert, and apart from the other powers of Europe. He knew, however, of no other alliance than a good understanding between them. At other times they had acted separately. On the occasion of the negotiations at Verona, where he himself was present as ambassador, France had acted separately from England, yet, England did not

then take offence at the course she pursued. He could not discover in the present proceedings any cause for just offence on the part of France. The only fault he could find in the present case was, that the negotiations had been carried on orally, rather than by notes according to the usual course. If the usual form had been followed it would have been easier to decide upon any charge which might be made by reference to documents. But in his opinion no discourtesy had been shown to France in the recent proceedings, nor could he see any just cause of difference between the two countries. The charges brought by Lord Brougham against the conduct of Russia were, in his opinion, without foundation. In 1830, 1831, and 1832, that government had made the greatest exertions to induce the maritime powers of Europe to interfere for the prevention of the invasion of Syria by Mehemet Ali, and if her efforts had been successful the Russian fleet would not have sailed, nor would the treaty of Unkiar Skelessi have been entered into. He must say that he saw no peculiar advantages that the emperor of Russia had gained by agreeing to what had been done for the settlement of the affairs of the Levant, and he believed the emperor was perfectly sincere in working out the same common object with the other powers, and that he had no such aim as was imputed to him, of seeking to break up the alliance between France and England. In answer to the noble and learned lord's observations, he would say, that no man living had done half so much for the preservation of peace, and above all for the pacification and maintaining the honour of France, and for the promotion of her interests, as himself. From 1814 to the last moment of his remaining in office, he had done everything in his power to preserve the peace of Europe and to keep up a good understanding between France and England. He repeated that he had done more than any one else to place France in the situation which she ought to hold in the councils of Europe,—from a firm conviction, which he felt now as strongly as ever, that if France were not so placed, there was no security for the peace of Europe, or for a sound decision on any subject of general policy. His noble friends here, and his right honourable friends elsewhere, who were in office with him, were as anxious for the preservation of peace as any politicians, be they liberals or otherwise; they were as anxious that France should take that station which became her in the rank of nations, and to which her power, her wealth, and her resources entitled her. The noble duke concluded by expressing his confident hope and expectation that the other powers would succeed in reconciling France to the settlement of the affairs of the Levant which had been effected.

Lord Brougham expressed his regret that he had given offence to the noble duke by what he had said, but added, that if he had only been the means of drawing from him the declaration which the house had just heard, he felt that he had rendered one of the most important services that any man could perform at the present juncture.

The address was then agreed to without a division.

In the house of commons, on the same day, her majesty's speech

having been read from the chair, lord Brabazon moved the address. The chief topics which he commented upon, after congratulating the house on the birth of a princess royal, were the operations in Syria and on the Indus, the war in China, the differences between this country and France, the projected reforms in chancery, the poor-law, to the working of which he attributed a marked social and moral improvement in the condition of the peasantry; and to the condition of Ireland, whose only demand and only requisite to become a contented and happy country was, as he contended, the concession of equality of privileges and franchises with those of England. This would be but an act of common justice. To the repeal of the union, however, he was determinedly opposed, and he implored those who were now agitating that measure, to pause ere they brought the heaviest calamity on their country. The noble lord then read the address, which was, as usual, an echo of the speech, and expressed his confidence that it would meet with the unanimous concurrence of the house.

Mr. Grantley Berkley seconded the address. He spoke in the warmest terms of the recent successes of the British arms in Asia. Their triumph in China he considered a subject of the greatest national exultation. He hailed the policy of the noble lord (Palmerston) with satifaction, not only in a political and commercial point of view, but religiously he was led to regard it as the dawning of a light that was about to break in upon the darkness of that idolatrous land. The seeds of a faith had been sown which might bring forth future harvests. He then proceeded to give a detailed description of the circumstances attending the bombardment of Acre, which he characterised as transcending all former achievements of the British arms of the same kind. After slightly touching on the condition of Canada, and on the topic of slavery, he adverted to the domestic circumstances of the country, and first to the new poor law. This, he said, was another instance in which the first bias of public opinion had been wrong. A prejudice had at first been excited against the law, but now the poor were beginning to feel the benefit of it, and he could speak from personal experience of its satisfactory results. The deceptive schemes of the chartists were seen through and discountenanced, and the working classes had awakened to a sense of their absurdity. The interests both of the agricultural and manufacturing classes were in a prosperous state. All these were reasons for the highest national exultation, and at such a thrice-happy period as the present, when all should be concord and sunshine around the throne, he trusted that they would join unanimously in an address of loyalty to the throne, and gratitude to Divine Providence.

Mr. Grote next addressed the house, and after characterizing the speech from the throne as "not very rich in promises; presenting the sketch of a session as blank in prospect, as the preceding session was in reality," he proceeded to a searching scrutiny into the policy and measures of the government with respect to the eastern question, on which his views widely differed from those of the speakers who had preceded him. The line of argument adopted by the honourable

member with reference to this subject, was very much the same as that employed by lord Brougham in the other house. Admitting the brilliancy of the achievements of the British arms, he contended that the policy of the expedition was indefensible—that England had no cause of quarrel or offence against Mehemet Ali, on the contrary, that she had been the gainer in many respects by his government in Syria. Even supposing France had acquiesced in our measures, the alleged object of maintaining the independence and integrity of the Ottoman empire, of guaranteeing the sultan against either any external aggression, or any attempt at self-emancipation on the part of any persons in his dominions appeared to him to be a policy uncalled for, impolitic, indefinite, and indefensible, on any correct view of international obligation. The consequences of adopting such a policy were scarcely to be calculated, seeing that the history of the Turkish empire showed that the quarrels of the pachas one with another, and the revolts of pachas against the sultan were almost a part of the order of nature in that empire. It was contended that we ought to interfere for the sake of frustrating the designs of the emperor Nicholas upon Constantinople. But if, as this argument implied, the only mode of counteracting Russian designs in this quarter, was to outbid that power in offers of service to the sultan, such policy, degrading as it would be to this country, would present no securities against the ambition of the emperor, but such as were both the most troublesome, the most costly, and the least effective. The real security which we possess against the acquisition of Constantinople by Russia consists in the terror of our arms, in the emperor's knowing that he will not be permitted by England and France to make the attempt. The argument, that by these measures we are counteracting the designs of Russia, is refuted by the obvious fact, that Russia is herself the grand projector of the enterprise. The Russian negotiator, count Brunow, was reputed to be a man of distinguished sagacity, and unless you suppose him in this instance to be suicidally or stupidly ruining his own interests, one of two things must be true—either that Russia has no designs against Turkey, in which case our interference was needless, or else Russia has aggressive designs, but such as admit of being as well or better executed after the expulsion of the pacha from Syria as before it. In either alternative, the conduct of Russia proves that our Syrian proceedings were in no way calculated to obstruct her views. He trusted that we might escape the terrible calamity of an European war, but omens and menaces of warlike preparation were abroad, and the rumours of all Europe being placed on an enlarged military establishment were in themselves no light mischief. Entertaining, as he did, the highest opinion of the French nation, he could not but look upon the prospect of a rupture of the good understanding between France and England, and the revival of the feelings of 1815, as a signal calamity for both. We had gained nothing by our operations in Syria to compensate for so great a mischief. Granting that the eastern question had been settled, the noble lord (Palmerston) had unsettled at the same time all the

relations of Europe. Up to the moment when the quadruple treaty was signed, the Ottoman empire was still conformable to a settlement made in 1833, to which the noble lord was himself a party—the convention of Kutayah. Mehemet Ali had never violated that settlement. The pacha held in 1840 the same territory which that settlement allotted to him. The Anglo-Syrian expedition was the first direct rupture of this settlement, and if it was to be set aside by the agency of the noble lord himself, and a new one to be made, the new settlement should have been, at least, such as not to raise any special grounds of disunion among the great powers of Europe. If the Turkish empire be disturbed by internal dissensions it was right we should interpose by amicable mediation; but he wished to record his deliberate protest against our undertaking to maintain the integrity of that empire, against spending the blood and treasure of the English people in providing factitious cement for that disorderly mass, to which, for ages, nature has denied cohesion. "If," continued the honourable member, "in respect to our internal affairs we are destined to obtain no further progress or improvement, if the cold shadows of "finality" have at length closed in around us, and intercepted all visions of a brighter future; if the glowing hopes once associated with the reform ministry and the reformed parliament have perished like an exploded bubble, at least, in regard to our foreign affairs, let us preserve from shipwreck that which is the first of all blessings and necessities: that which was bequeathed to us by the anti-reform ministry and the unreformed parliament, I mean peace and accord with the leading nations of Europe generally, but especially with our nearest and greatest neighbours, France." He concluded by saying that for these reasons he could not concur in any address which spoke of our Syrian policy in terms of praise or even of acquiescence.

Mr. James thought, that the results of the foreign policy of the ministers afforded the most triumphant proof of their sagacity and wisdom, and entitled them to the unanimous approbation of the house. He hoped they might long continue in office.

Lord John Russell then rose to vindicate the policy of the government against the censures of the honourable member for London, and entered at great length into an exposition of his views on the subject. The object, he said, to which these measures had been directed, was one which had already received the sanction of the house both last year and in the course of many years past, viz: that of maintaining the integrity and independence of the Ottoman empire, in order thereby to give fresh security for the peace of Europe. The importance of that object had been admitted by Mr. Grote himself, only he differed with the ministers as to the mode by which it was to be done. That honourable member was of opinion that the peace of Europe was best preserved by interfering as little as possible with the general affairs of the continent, but using, when necessary the terrors of our fleets and armies. He thought differently. He believed that it was by allying ourselves with the other powers of Europe interested in the preservation of the balance of power, and by a constant and vigi-

lant attention to the events which may affect that balance, that peace would be best maintained and the balance preserved. Such was the policy of sir Robert Walpole, the most pacific minister, perhaps, that ever held the reins of power. If in the present instance the policy recommended by Mr. Grote had been pursued, if we had refrained from interfering or giving assistance to Turkey, the consequence would have been that the sultan would have been compelled to look to Russia alone for succour, the ambition of that power would have been aroused, her projects of dominion would have risen with our inaction, and the terror of our fleets and armies would have been impotent to arrest her progress. A war would have been then the necessary consequence. He admitted that it was not in every case of internal dissension or rebellion against the sultan that our interference was to be exercised: but the honourable member for London made no distinctions. Was it to be said that when the empire was in convulsion—a triumphant and powerful pacha shaking off allegiance, and even aiming at supremacy, and a war hovering over Europe, we were to look calmly on and not interfere? Cases must be determined according to their circumstances, and no inflexible rule of interference or non-interference could be laid down. The noble lord then entered into a review of the position of the Turkish empire, recapitulating the principal events which occurred, from the termination of the war which ended with the treaty of Adrianople; the reduction of the power of the sultan,—his appeals for protection to England and to Russia—his defeat at Nezib—the assistance then rendered him by Russia—and the treaty of Unkiar Skelessi. He then referred to the conduct of Mehemet Ali, and his repeated invitations to the other pachas to join him in a rebellion, the object of which was to establish his power in the heart of the Turkish empire. Now it might be said this did not affect us. Mehemet Ali might be as good a sultan as the other. But Russia or Austria might regard it differently. Russia might say, or Austria might say, "I have a treaty with the lawful sultan of Constantinople," and that the maintenance of those treaties was their interest as well as their duty. Russian and Austrian troops would then occupy Constantinople—a war would be kindled in the east, and such a war as it would have been utterly impossible for Great Britain to look upon in silence. Such would have been the result of the pacific policy advocated by Mr. Grote. The noble lord then proceeded to enter into a detailed account of the course and progress of the negotiations which had taken place between the different powers prior to the formation of the treaty, in which he gave credit to the emperor of Russia for the most perfect good faith and sincerity in co-operating with the other powers of Europe to bring about the settlement of the Levant, and defended his own government from the charge of discourtesy toward France, and from all blame of producing the estrangement which he regretted as sincerely as the honourable member for London did. That blame justly belonged to France, who had endeavoured to give to the difference a national colour by appealing to popular passions, and had threatened the

peace of Europe by the preparation of vast armaments. The noble lord quoted extracts from some despatches of M. Guizot, who attested the sincere desire of the English government to draw closer the bonds of French alliance, and the absence of interested and aggressive designs manifested by the conduct of Russia. For the French people, he (Lord J. Russell) entertained the highest esteem and admiration, and he could not wonder that, when their honour was represented as being assailed, much popular irritation and jealousy should arise; but he did wonder that the government of France should be so reckless as thus to endanger the peace of the two countries, and to misrepresent the feelings of England towards her neighbour. The real reason why an agreement could not take place between France and the other powers was this, that France seemed to have laid down for herself a rule, that whatever Mehemet Ali positively refused to do, no coercion on the part of the European powers should compel him to do. In every arrangement and proposition made to her by the rest of Europe, France had been swayed by the determination to look always to what would be acceptable at Alexandria rather than to what would be secure and honourable at Constantinople. With reference to the operations which had taken place since the conclusion of the treaty, the noble lord, after highly extolling the gallantry of the exploit, took occasion to express his satisfaction that those events would completely refute the imputations which it had been lately the fashion to make against the existing efficiency of the navy. He had predicted that, if an opportunity was afforded, that force would confound by their deeds all those who ventured to doubt their efficiency. Such an occasion had been given, and had fully verified his predictions.

Such was the substance of the noble lord's defence of the policy of his colleagues with reference to the eastern question, of which our space forbids us to furnish a longer detail. With respect to matters of domestic policy he added a few words, which, as they were considered of some importance at the time as an authoritative declaration of the spirit and intentions of the existing government, we shall subjoin entire:—

"I shall not trespass upon the house by entering at all upon matters of domestic policy, unless it be to state to the honourable member for London that he is completely mistaken in saying that the government were in any sense enemies to improvement. He (lord J. Russell) held that a continual progress in improvement had been made in the commercial affairs, in the judicial institutions of the country, and in other matters of domestic concern; that continual progress and improvement formed the principles by which he (lord J. Russell) and the government would be anxious to abide; but while he would not mistake abuses for institutions—while he would not give to abuses that defence he would afford to institutions, so, on the other hand, he would not mistake institutions for abuses, and attack institutious as abuses in the political system. He wished to maintain the institutions of the country; he wished not to undertake any reform, though called improvement, which might be incompatible with those institutions;

he wished to maintain the established church, the hereditary house of lords, and the hereditary monarchy, and if any plans should be proposed inconsistent with those institutions they would have his most decided opposition. If any plans should be brought forward which, as he thought, tended to the establishment of a republic, to overturn the church, or to destroy the hereditary peerage, he should state his sentiments upon them in his place, and the grounds of his opposition to them; but it was not just to contend that resistance to the innovation of dangerous changes of this kind was a resistance to all improvement. (Hear, hear.) To any improvements that could be effected without the disturbance of the political system of the country he wished to be considered as the friend, and to such he would gladly lend his aid in carrying them into effect. He had now stated all he thought necessary at present as to the general views of the foreign and domestic policy of the government—there would be many other occasions upon which the opinion of the house would be taken upon those views. The government was ready to have the responsibility of all these matters, and while they continued ministers of the crown they would serve the crown faithfully and to the best of their ability." (Loud cheers.)

Mr. Milnes expressed his great disappointment at the omission of any expressions of regret on the rupture which had occurred between this country and France. He protested against the assumption that by the treaty of July the integrity and independence of the Ottoman empire had been secured. The word "integrity," as it was used, was a mere diplomatic fallacy. The independence of no state could be secured by foreign interference. No person could see in the recent transactions any thing more than a transfer of the Ottoman empire from the protectorate of the five powers to the protectorate of England and Russia. He did not believe that the noble lord (Palmerston) had really contemplated any accession of territory, or any exclusive advantages to England, but for that very reason he objected to the great expense and risk which had occurred without any compensating advantage. What had England gained by what had taken place since last year? No advantage whatever had been acquired, but the anger and jealousy of France had been aroused, and they had been brought to the verge of an European war. He accused the ministers of shortsightedness, of disregard of French history, and ignorance of the feelings of the French people. He thought, if France and Russia had combined—to the exclusion of England, as Russia and England had now combined to the exclusion of France, the people of this country would have risen as one man, and no ministry who submitted to such a combination could have maintained their power. They were now in a state of armed peace, which was peace without its profits, and war without its stimulants, than which nothing was more trying to a country. France was arming, and England, with all the embarrassments arising from the present state of her finances, would be obliged to arm also. He called on the government for some expression of regret on account of our present position towards France. He called on them to calm the effervescence of France,

so as to prepare the way for her readmission into the European coalition, which was the only security for peace and the safety of England. There was no animosity in this country towards France, and therefore he hoped that every member who spoke after him would make up for the omission in the speech, by expressing individually his regret for what had occurred, and his hopes of a speedy adjustment with that country.

Mr. Hume considered the policy of the noble viscount to have been not only bad but wicked, for it carried desolation and ruin into the Syrian provinces, and for no purpose that he knew of connected with the interest of England. He blamed the noble viscount for persevering in a policy in which he stood alone. It was well known that the majority of the cabinet were against him. Mehemet Ali had never threatened the independence of the Turkish empire: he defied the ministers to produce a single document to show that there was any disposition on his part to move against Constantinople. If England desired to secure peace, all she had to do was to allow Mehemet Ali and the sultan to make their own terms, and settle their own differences. He disbelieved that the emperor Nicholas seriously desired to maintain the integrity of the Ottoman empire. All the mischiefs which had occurred had been caused by the abandonment of the principle of non-intervention. He called the attention of the house to the dilapidated state of the revenue, which, he said, was less productive since the recent taxes than before them. There was no notice in the speech of the state of the revenue—no notice of the subject of education, nor of the present state of our commercial regulations, nor of the condition of the working classes. The honourable member concluded by proposing an amendment of his own, condemning the war with Syria and the expense occasioned by it, and deploring the rupture with France, and regretting that the attention of the house had not been called to the state of the revenue and the distress and discontent of the labouring classes.

Sir Robert Peel then addressed the house. He commenced by animadverting on the omissions of the speech—the state of Canada—the boundary question—Ireland and the repeal agitation—the war in India, and the inconsequent allusion to China. It was a most successful speech, if the merit of such documents consisted in saying as little as possible. Applying himself then to the subject of our foreign policy, he expressed his deep regret and despondency at the altered state of our relations with France, and at the menacing din of military preparation. With respect to France he had never held but one language and one opinion—that a cordial understanding between France and England was essential to the peace and welfare of Europe. He did not see so fully as some did the advantages of an intimate alliance of an exclusive nature between the two states, giving offence to what were called the great military and despotic powers of Europe, but he felt most strongly that the best interests of humanity were involved in the maintenance of cordial good will and amity between this country and France. The French nation entertained a false conception of the feeling of the people of this country towards them. It was not

true that we felt triumph at the supposed humiliation of France. Though she had been called our natural enemy, and we had been long and warmly engaged in conflict with her, he did not believe, that there was any wish on the part of this community to see her power or authority curtailed, or that there would be any rejoicing here at any reverses which might befal her. At the same time he was not prepared to say, that the policy which had been pursued, of attempting the settling of the eastern question was not justified by necessity. We could not disguise from ourselves the peculiar relative position of the Russian empire and of Constantinople. Now, if in the present instance we had refused to interfere, and if Russia really entertained the ambitious designs imputed to her, where was the security against her taking upon herself the exclusive protection of the Turkish empire? If, in consequence of this, she should gain possession of Constantinople, would the honourable member for London look on such an event with complacency? He would advocate, in that event, our dispossessing her by force; but was it not wise to adopt that policy which would prevent Russia from getting there, and prevent our being compelled to go to war with Russia on ground where she must have a great advantage over us? It might be no easy matter to make the evacuation of Constantinople by Russia one condition of peace with us. The co-operation of France in the settlement of this question would undoubtedly have been of inestimable value; but if four great powers of Europe, acting, as he might assume, with perfect integrity, were convinced that the general interests of Europe required active intervention, he was not prepared to say, that the refusal of one power to co-operate with them made it necessary for them to desist, otherwise that single power might acquire an undue preponderance in the affairs of Europe, and might be tempted to extend its influence beyond the due range. He would, therefore, suspend his opinion with respect to the convention, till the house received such further information as the ministers had to give; in the meantime it would be injustice to join in the censure pronounced by the amendment on the parties to that treaty. He could make every allowance for the sensitive and susceptible feeling with which the French people might naturally regard a revival of the alliance of 1814, though there was really no analogy in principle between the two treaties. The circumstances of the past history of France rendered it especially necessary that there should have been no want of courtesy shown her in the late negotiation. Now, there was one part of the proceedings which had given him great concern. It appeared, that up to the 14th July, the day before the treaty was signed, M. Guizot was kept in ignorance of what was going on. He thought, considering the character of M. Guizot, and his friendly disposition towards England, it would have been well to have apprised him, in the most temperate and conciliatory way, of what was about to be done. Such a course would have given much less offence than that which had been adopted, of first signing the treaty, and then communicating the fact. The right honourable baronet then protested against parliament having been allowed to

separate last year without information having been given to it of the events then in progress. If such conduct were to become a precedent, it would undermine the authority of parliament. He agreed with those who had expressed regret at the omission of all mention of France in the speech. Such an expression would have involved no concession, and could not have been ascribed to any but the real cause. He sincerely hoped that the clouds which now overhung Europe would soon disperse. He deprecated war as the most mischievous of all calamities; it would be attended by the addition of taxation, the waste of capital, the revival of bad passions, and other most disastrous consequences. It was said that the eastern question was settled, but he considered that a thousand questions might yet arise and create difficulties, and that no settlement could be efficacious unless they could still prevail upon France to become a party to it. He thought that there was nothing to prevent our now taking fresh steps, and inviting the interference of France. Their recent success afforded a favourable opportunity, without involving any derogatory concessions, for again appealing to France to join with us, and enter into our plans for the interests of the Porte, and for the peace of Europe. Sir Robert Peel then referred to a letter written by marshal Soult on 17th July, 1839, in which he laid great stress upon the importance of preserving the integrity of the Ottoman empire as an essential element of the balance of power; and concluded by saying, that he was convinced that if there were any two men who would desire to shun an unnecessary conflict with England, they were marshal Soult and M. Guizot. He ran some risk of doing them an injury by the compliment he was now paying them; but he could not refrain from expressing his hope that these two distinguished men might be successful in maintaining peace, and rescuing both France and England from the calamity of renewed hostilities.

Viscount Palmerston said, that in the concluding part of sir Robert Peel's speech he fully concurred; indeed, he had gone further than the right honourable baronet on this question, and had had, on former occasions, to stand up and justify himself against the charge of attaching too much importance to the connection. He was persuaded, when the French people came to regard this subject with cooler temper and more deliberate reflection, that they would see there had been no disposition to treat them with unfairness, and that they would come round to that better frame of feeling towards England which was so ardently to be desired. He was ready to admit and to declare, that France, possessed as she was of vast naval and military power, and placed as she was geographically in the centre of Europe, could not be excluded from the great affairs of Europe, and that no transaction could be completely or securely settled unless she were in one way or other a party to it. With respect to the allegation of sir Robert Peel, that sufficient court had not been paid to France, in consequence of the omission to apprise her minister that the treaty was about to be completed, the noble lord contended that there was no ground for such a charge—that every endeavour had been made to obtain the co-operation of France—that concessions had been offered, and that, after the repeated refusals

which she had given to be a party to the arrangement, it would have been a mere mockery to have again called upon her to revoke her refusal—that it would have implied that our former answer to her was not sincere, and would have been, in fact, an act of incivility instead of a measure of conciliation. Moreover, it must be obvious to all who had read the French debates, that if such a course had been pursued, it would have defeated the success of the measures. The avowed object of the French government was to gain time by means of negotiation; and if the four powers had acted in the manner suggested, and lost time by submitting the treaty for the consent of France, her object of procrastination would have been answered, and all operations for that year effectually prevented. The right honourable baronet had said that Parliament ought not to have been allowed to separate last year without having had the engagements laid before it into which the country was about to enter. To have laid the treaty itself before parliament, before its ratification by the contracting parties, was impossible; but as to the general nature of the treaty, it had become matter of public notoriety before parliament separated, and had been twice the subject of discussion in that house. Any member, therefore, had it in his power to pass an opinion either of censure or approval upon these arrangements. It would be the duty of the government hereafter to lay before the house such facts as would enable it to form a deliberate conclusion upon these matters. His noble friend lord John Russell had stated, in so able and impressive a manner, the general outline of the grounds on which their policy had rested, that it was only necessary to refer to his speech for its justification. The object of that policy was to avert events which would have involved the great powers in the most serious difficulties; its success was more rapid and complete than those who were best informed on such matters could have ventured to expect. With respect to the omission of all mention of France in the address, it was not because the government did not feel sincere regret at her not being a party to the treaty, but because it would have been unusual, and inconsistent with the ordinary principle on which speeches from the throne were framed, to have expressed regret at the interruption of a good understanding which had not been marked by any diplomatic event. If either country had withdrawn its minister, or taken any distinct step interrupting the diplomatic relations of the two countries, that would have been a public act of which the crown might have taken notice; but to have noticed the mere existence of an irritation which had been manifested in various ways, would have been inconsistent with the usual rules on which such documents were framed. The debate here terminated, Mr. Hume withdrew his amendment, and the address was agreed to, and referred to a committee.

It has probably rarely happened of late years that the debate on the opening of parliament has been marked by so complete an omission of all topics of domestic concern, as on this occasion. Foreign politics engrossed the entire attention of both houses, and the ministers completely succeeded in what we think was obviously their design in framing the royal speech—that

of avoiding any issue which might have involved a trial of strength with the opposite benches, and choosing for their battle-field a question on which little hazard of a conflict could be anticipated. Desiring to secure a favourable and auspicious opening for the new campaign, they prudently took their stand upon that branch of their policy of which the present results at least had been confessedly brilliant and decisive. The consciousness of numerical weakness prompted them, on the other hand, to observe a cautious silence in the speech upon topics nearer home, a discussion upon which might have led to a less favourable result, and might have weakened the precarious tenure on which they held their power. With respect to that question which thus formed the almost exclusive subject of debate—the treaty of July, and the operations which followed—we think it will be generally agreed, upon a candid review of the arguments by which lord Brougham and Mr. Grote on the one side attacked, and viscounts Melbourne, and Palmerston, and lord John Russell on the other defended, the ministerial policy, that the justification of the measures of the government was on the whole satisfactory and complete. It was clearly shown, we think, that while no exclusive advantages for England were aimed at by the measures pursued, her interest, as identified with those of the great commonwealth of European powers, had been wisely consulted, and that her interference had been imperatively required to preserve the independence and integrity of the Ottoman empire, an object which, by the common consent of the great powers of Europe, and in the opinion of the wisest statesmen, was an essential element to the balance of European power, under the peculiar circumstances in which Turkey and Russia were relatively situated. Nothing was established which could justly impeach the sincerity and good faith of the latter power in these transactions, and though it was objected, with some show of plausibility, that it was absurd to suppose that any additional security against the designs of Russia could be gained by operations in which Russia herself was a leading agent, yet, on the other hand, there is irresistible force in the reasonings by which lord John Russell and sir Robert Peel demonstrated the formidable consequences which might have resulted to the other powers of Europe if, while they remained passive, the sultan had been driven by the terror of his encroaching vassal to throw himself upon the exclusive support of Russia, which would have led to the establishment of that power in the exclusive protectorate of the Turkish empire. We think it will be equally clear, in the judgment of those who may hereafter peruse the history of these transactions, that France had really no just cause for complaint or angry feeling on account of her exclusion from a share in the arrangements of the other powers. That exclusion was entirely her own act, and her conduct from first to last, in these transactions, only deserves to be characterised as petulant, selfish, and inconsistent; while the attempt to excite the sensitive feeling of nationality among her people against England, as having wounded her honour and thrown slight upon her dignity, was justly condemned by some of the speakers in this debate, as in the highest degree unworthy of her govern-

ment. The objection suggested by sir Robert Peel, that more regard might have been shown to the situation and personal feelings of M. Guizot, by apprising him beforehand of the intended completion of the treaty, seems to us, if not entirely cleared up by the explanation of viscount Palmerston, yet not materially to alter the merits of the case, far less to vindicate the spirit with which these transactions were resented by the French nation. But in whatever light the conduct of France may be viewed, we cannot but regard the language used with reference to her, by the leading speakers in both houses, as both admirably prudent and well-timed in their pacific effect, and as exhibiting a spirit of forbearance and magnanimity truly worthy of British statesmen. The anxious regard for the honour and true interests of our ancient rival manifested by such men as the duke of Wellington and sir Robert Peel, could not but produce a most tranquillising and beneficial result on the public mind on both sides of the channel, while the earnest desire which they expressed for her restoration to her rightful share in the counsels and operations of the powers of Europe, was peculiarly dignified and becoming, both as uttered in the flush of a success achieved without her assistance, and as a striking contrast to the petulant and irritable spirit which a large portion of the French nation had so recently displayed towards Great Britain. Practically such expressions as these made ample amends for the omission, so much commented on, of all allusion to France in the royal speech, for which the very unsubstantial technicality pleaded by viscount Palmerston will probably be scarcely deemed a valid apology, as indeed there can be little doubt that it was not the operative reason. To soothe the wounded feelings of our neighbour was, therefore, a task which devolved upon, and was certainly most adequately discharged by, the statesmen in opposition to the government.

Another omission in the royal speech was afterwards made the subject of observation. On the bringing up of the report on the address, sir R. H. Inglis called the attention of the government to the recent alarming agitation of the repeal question in Ireland, and to the inflammatory language held by Mr. O'Connell on that subject. Large meetings had been held in some of the principal towns of Ireland, at which hundreds of thousands had been present. The Irish government had thought it necessary to move troops to the support of the civil power, in consequence of these proceedings. Mr. O'Connell had recently said, that the repeal of the union was now become a vital question, and that every man henceforth must take his stand as a conservative or a repealer. He wished to know if the noble lord (lord John Russell) was prepared to adopt this alternative; if so, to which division he meant to attach himself.

Lord John Russell answered, that though, in his opinion, a notice of subjects of this kind was in some cases called for in the royal speech, there were others in which such mention served only to give additional weight and importance to the agitators of popular feeling, and was consequently better avoided. His noble friend the lord-lieutenant of Ireland had recently spoken out in very plain terms on this subject, and that might be

considered a sufficient declaration of the sentiments of the government. He did not accept the dictum of the honourable member for Dublin, nor feel bound to his alternative of conservatism or repeal.

The subject was then dropped.

In the house of lords, on the 4th of February, the earl of Minto moved the thanks of the house to admiral sir Robert Stopford, G.C.B., and the officers and men under his command in the late operations on the coast of Syria. His lordship paid a just tribute to the merits of that portion of the British fleet which had been employed on this occasion. After a few words of approbation from lord Colchester, the duke of Wellington, in terms of the most earnest and cordial nature, expressed his admiration of the services performed by those engaged in the glorious expedition under discussion. He considered the present achievement one of the greatest deeds of modern times, but thought it his duty to warn their lordships that they must not always expect that ships, however well commanded, or however gallant their seamen might be, could be capable of engaging successfully with stone walls. The vote was then carried unanimously, and on the following day lord John Russell moved the thanks of the house of commons to the same gallant individuals. He gave a short narrative of the reduction of Acre, and bestowed a warm eulogy on the services of those who achieved it. The political questions connected with the Syrian war did not arise upon the present occasion. But, referring to the improvements of modern times in the arts and machinery of war, he wished to observe that their successful results were owing in a great degree to the character of the men who had applied and directed them—a character formed and exalted by the institutions of a great and free country, and combining in a remarkable degree the qualities of valour and of prudence.

Lord Stanley seconded the motion. He agreed that the political merits of the contest were not now in discussion; the present duty of the house was only to record their high opinion of the officers and men who had done so much honour to their country. He was anxious, on the part of his own side of the house, to express, that whatever might be the differences of party, there was but one feeling among men of all politics on the subject of the country's success, and of the gallantry of her forces.

Viscount Ingestre, sir R. H. Inglis, and other members, warmly supported the motion, which was carried unanimously.

On the 6th of April, a letter from sir Robert Stopford, acknowledging in suitable terms the vote of thanks, was read to the house by the speaker, and ordered to be entered on the journals.

CHAPTER II.

Poor Law Amendment Act—Expiration of the power of the Commissioners—State of Public Opinion and division of Parties with respect to the Law—Efforts of the Press—Lord John Russell moves for leave to bring in a Bill—Vehement Opposition of Mr. Wakley and other Members—Speeches of Sir F. Burdett and Lord John Russell—Debate on second Reading—Speeches of Mr. D'Israeli, Mr. Wakley, Mr. Gally Knight, Sir Robert Peel, Viscount Howick, and Lord John Russell—Division on the second Reading—Motion of Mr. Townley Parker, that the Bill should be committed that day six months, rejected by a large majority—Strictures of Sir Robert Peel on the language used by the Commissioners in their public Documents—Observations of Lord G. Somerset and Viscount Sandon to a similar effect—Renewal of power of Commissioners for five years carried—Discussion upon Union Schools and compulsory Education—Speech of Sir Robert Peel thereupon—Mr. Colquhoun's motion for the appointment of Chaplains to Unions—Remarks—Ultimate fate of the Bill at the dissolution of Parliament—Return of Mr. Walter for Nottingham—Progress and working of the Poor Law in Ireland—Inquiry in the House of Lords respecting Clonmel Union—Resolution of the House respecting the Secretary to the Poor Law Commissioners in Ireland.

THE powers of the poor-law commissioners, which had been limited by the act of parliament to a period of five years, would, in due course, have expired at the close of the present year. The speech from the throne adverted to this among the very few topics of domestic concern which were touched upon, as calling for the earnest and immediate attention of parliament. Accordingly, on the 29th of January, lord John Russell moved, in the house of commons, for leave to bring in "A bill to continue the poor law commission for a time to be limited, and for the further amendment of the laws relating to the poor in England."

Although much diversity of opinion, and even considerable excitement of feeling, existed at this time with respect to the principles and working of the new poor-law, perhaps upon no single measure introduced of late years has the public mind been less affected by those party feelings which influence the views taken of almost every question submitted to the legislature. The whigs, as a body, might indeed be said generally to be in favour of the new system, but among those who usually supported them, though differing by

various degrees of liberalism, were many who regarded with inveterate hostility, and who loudly denounced, the law, its authors, the commissioners, and all the agents concerned in its execution. The language held on this subject by some men of wild and extreme political views was of a very inflammatory nature, and had been employed with very exciting effect on several occasions. On the other hand, while the leaders of the conservative party in parliament had avowed a distinct though modified assent to the measure, such could by no means be described as the general feeling of that body, which comprised numerous persons as decidedly and strongly opposed to it as any among the radicals themselves, and who frankly expressed dissent from their usual leaders and guides with reference to this question. The discontent felt by the opponents of the measure was sedulously fanned and kept alive by a portion of the public press, which industriously gave publicity to every case of alleged mismanagement or oppression on the part of those invested with authority by the act, and strove to foment, upon popular grounds, an opposition to the proposed renewal of the powers of the commissioners. These efforts were not without effect, and the difficulties experienced by the ministers in the progress of the measure which we are now about to record, may doubtless, in a great measure, be referred to the active endeavours of the press to represent opposition to the authority of the commissioners, as an evidence of regard for the interests of the poorer classes, and to inculcate it as the best recommendation to popular favour.

On lord John Russell's moving for leave to bring in his proposed bill to continue the powers of the commissioners for ten years, and to make certain amendments and alterations in the act, several members spoke strongly in opposition to it.

Mr. Wakley objected in strenuous terms to the course proposed. He denounced the principle of the act as harsh and tyrannical, the institution of the commissioners as both expensive and useless. He was surprised that a ministry calling itself reformed should propose the continuance of such a law after the experience they had had of its pernicious and most cruel working. He wished to know what duty the commissioners were to do; whether the law was to be in their will or in the statute-book. The office he held (as coroner for Middlesex) gave him opportunities of knowing how much the law was disliked by the middle classes; they considered that the workhouse had been made a place of torture instead of protection, with a view to deter the poor from asking any assistance. Among the poor, also, the abhorrence to the only species of relief which the law allowed of was still more strong. He knew of two instances that occurred in one week, of persons who preferred death rather than resort to the workhouse; they declared they would rather die than be separated from their children in the manner proposed by the new poor-law, and they did die, rather than go into the workhouse. The honourable member referred to the case of the Kensington union, where, as he alleged, fathers, mothers, sons, and daughters were located in four different houses in different parishes, and, after descanting on the harshness, inhumanity, and im-

policy of the law, declared his irreconcileable opposition to any extension of the office of the commissioners.

Mr. Wakley's views were supported by several members.

Sir F. Burdett said, he had always disapproved the principle of the new poor-law, as unconstitutional, and repugnant to the habits and feelings of the people; and he did not think the proposed bill could be so framed as to render it a permanent measure, or one which the country ought to adopt. The system could never be made palatable to the people of England. Men who loved the public liberty could never be reconciled to the tribunal at Somerset-house, and it was the universal feeling, that that at any rate should be abolished. It was impossible to frame unbending laws for remote places and unknown circumstances without the greatest mischief. He thought that parliament had done a most dangerous thing in introducing so cruel an experiment, and he would support any motion for its repeal.

Mr. Hume urged the gross abuses of the old system, and the necessity for some such reform as this law had introduced. The rules were not unbending ones—the commissioners had been entrusted with a discretion. Great benefit had been produced by the law, and the house ought to do their best to make it still more useful. He doubted, however, the expediency of extending the continuance of the commission to so long a period as ten years.

Lord John Russell observed, that it would of course be for the house to determine the duration of the commission. It would have been the easiest course for himself to let the powers of the commissioners expire; but he thought his duty required him to deal positively with so important a subject. The labouring classes must depend on wages, on public relief, or on private charity. The old system confounded all these, and put the honest and industrious on a level with the idle and vicious; and it pretended to do that by public relief which only private charity could effect. It was easy for the parish officers to be charitable at the expense of others; but their alms did not create the mutual good feeling which real charity begets. The amendment of the old law had proceeded, therefore, upon the principle that wages should be a just reward for labour; and thereupon it was presently found that persons, before regarded as idle and worthless, became industrious and useful. The wise principle was that of the act of the 43rd of Elizabeth, which distinguished the relief of destitution from the wages of work. To execute the amendment of a system so essentially vicious, there was a necessity for assistant as well as for general commissioners. Lord Althorp had proposed to make the experiment under those commissioners for five years, but had not intimated that their office was necessarily to determine at the end of that period. He should be deceiving the house if he were to hold out that there was any intention on the part of government to propose any considerable alteration or relaxation in the main principles of the existing sytem.

Leave was given to bring in the bill on the 8th of February. The second reading being moved, a long and important debate took place.

Mr. D'Israeli first rose to oppose it, trusting that, as members

had been taunted with a silence in the house unsuitable to their declarations on the hustings, the house would indulge him with a hearing. It was impossible, he said, to conceive any revolution affecting more deeply than the poor-law the happiness of the people. The parochial constitution of England had been destroyed for a mere pecuniary benefit, which, after all, had not been obtained. The expenditure was now on the increase; and we should soon have to pay, under a system of abuse, as much as was paid under the abrogated law. The statute of Elizabeth might be defective or obscure, but the new scheme of shutting up your pauper population in prisons was, upon the principles of human nature, impracticable. He admitted that the controlling power under the new scheme must be central, but he thought it might also be local; it might reside in the chief city of each district. In the bill he found not only unions, with the objections belonging to them, but unions of unions, with all these objections proportionally increased. Here were powers to the commissioners quite without precedent; centralization, after all, was a principle rather applicable to material than to moral government. A metropolitan control might be cheaper and more convenient than a provincial one; it might make government strong and society weak, but he would rather have a strong society and a weak government. He was persuaded that the measure had produced much disaffection, and he would move that the present bill should be read a second time on that day six months.

Mr. Wakley seconded this amendment. He said, that if the principle of the bill were really the establishment of a distinction between vice and misfortune, no man would have objected to it; but it had been honestly explained that the bill had no such object, that the object of it was merely to prevent the poor from starving. And this was cheered by the liberal side of the house; such was the liberality of the reformed ministers and members! In the name of the poor and laborious people, he appealed to the great conservative party. The landed gentlemen were the natural leaders of the people—to them the poor must look, not to the manufacturers, who wanted to lower the price of bread, knowing that wages must come down in proportion. The commissioners, on a hint no doubt from ministers, had made a report, showing ingeniously the expediency of their receiving their salaries for ten years longer. They said the poor showed no gratitude; none was called for. The poor had right, by law, to the relief they got, and owed no thanks for that. It had been matter of complaint that the poor-rate had increased, but had not population and property increased as largely? In the ten years preceding the new poor law, the poor-rate had increased about one and a half per cent., the population about sixteen per cent.; and the property, as appeared by the returns of the legacy-duty, had increased by the amount of between 6,000,000*l.* and 7,000,000*l.* The new poor-law had transferred the votes in the election of guardians from the occupiers to the owners. This was done by a liberal government; but if this kind of liberality was still to guide them, the sooner they ceased to be a government the better. The people had come to

consider the house and its practices as adverse to them. The principle of this act was a base and ferocious one, tending to stimulate the bone and muscle of this country to forcible resistance. He sketched the life of a man who, having toiled from fifteen to sixty, finds his strength decaying, and his employers no longer willing to continue his accustomed wages. He applies for aid; he begs the guardians, rather than insist on his entering the poor-house, to let him have a little relief in his own cottage. They tell him that *they* would gladly do so, but that the commissioners forbid it! We had been told that this law would raise wages, but it had not done so. How was it to raise wages? It could do so only by combinations among the working men against their employers. The impression of the people was now, that parliament wished to preclude all relief whatever, in the poor-house or out of it. In the Kensington union were 25,000 inhabitants, and only one relieving officer. St. Luke's had 40,000 inhabitants, and only one officer and one assistant. He then specified some particular cases of abuse. Whatever the cruelties or oppression committed in the poor-house, the pauper had no appeal, no redress; he could not go out to complain. By the present bill, the powers of the commissioners, already so great as to be driving every respectable man from the boards of guardians, were to be made still greater, and the powers of the guardians still less. The guardians had not even power to allot a separate sleeping-room to an infirm old couple, without the leave of the Somerset-house commissioners. He wondered that the gentlemen of England would act under such a control; indeed, he was sure they would not brook it, but for their desire to aid their poor neighbours. As to the alleged reduction of the poor's-rate, it was a delusion. Charges formerly paid from the poor's-rate were now transferred to the county-rate; and all that John Bull got, was to pay from his left-hand pocket instead of his right.

Mr. G. Knight was not surprised that gentlemen inveighed against this law, for it was an easy road to popularity. He begged the house to remember the evils of the old system, and especially the payment of wages out of rates. The enemies of the poor were not those who sought to raise their wages and habits, but those who deluded them with a false sympathy. Not only had a saving been effected, but the condition and comforts of the paupers themselves had been improved. As to the case suggested of a man forced into a poor-house at sixty, it was of no application, for at sixty, the commissioners allowed out-door relief. Though this law proceeded from the whigs, he would not the less support it, being a good law; for the question was too important to be decided upon party considerations.

Mr. Buck would not concur with the absolute opponents of the bill, but he thought that some of the clauses must be amended. He mentioned a case where a county magistrate had been summoned before an assistant commissioner under circumstances of unwarrantable indignity.

Mr. Muntz disliked the law, for making no difference between the respectable and the dissolute poor. He related a case of an industrious man thrown out of employ by

his master's failure, who had endured great privation rather than go into the poor-house, having been told that he could not be admitted without selling off his goods, and being apprehensive that he should not easily get a character on coming out again. There ought to be some distinction between rural districts and those great towns in which hundreds of people were sometimes thrown out of work at a blow. He would do his utmost to prevent the passing of this bill in its present state.

Mr. Liddell would oppose the bill, to record his disapprobation of the proposal for continuing the commissioners during ten years more. Such a continuance appeared to him little less than a perpetuity. His own experience was chiefly in a rural district, and he could not say he was aware of any improvement produced by the present system, either in economy or in the condition of the poor. Even if there should not be a majority against the second reading, he hoped the ten years' continuance clause would never be suffered to become law.

Sir Robert Peel said, the two great questions were, the continuance of the experiment, and the centralization of the management. We were too apt to forget past evils, and to dwell only on the present. The state of things which preceded the present law was the ground of the course he took. He cited some evidence taken before a committee on agriculture, showing that in certain parishes, as the amount of money relief had increased, so had also the demoralization of the labouring classes. If the legislature thought that compulsion into the poor-house would relieve the industrious man from the payment of rates to relieve his idler neighbour, and eventually raise the character of the idle themselves, surely the measure was justifiable, although individual cases of hardship must occur. And he believed that even under the old system there were many hardships, which, as the districts were small and insulated, were not heard of, as abuses were now in the large unions, where so many people were assembled. After the great expense incurred (though expense was certainly a secondary consideration) he should not like to see the experiment abandoned, especially as nothing was suggested in its room. It had been said there was no aggregate saving; for that if there were less laid out in rates there was more laid out in wages. That was the very object; it was thus that the poor had benefited from the poor-law. In supporting the principle of this bill he must, however, reserve to himself the right of questioning several of its clauses. He had great doubt, for instance, as to the expediency of the ten years' continuance. Five years, and then, if necessary, five years more, might be a safer arrangement. Besides, a good deal must depend on the personal character of the commissioners for the time being. He hoped, too, that the law would not be executed with strict rigidity; and that, in matters of feeling, such as churchyard burials, there would be a due deference to the natural sentiments and wishes of the people. Moreover, he thought there should be no encouragement to further unions. Indeed, he apprehended that the principle of these unions had already been carried too far.

Mr. T. Duncombe said, the present system wanted amendment;

but this bill contained nothing except aggravation. Sir Robert Peel had taken thought about the burial of the poor; he wished the house would respect the feelings of the poor while living. This measure went to repeal all the local acts of parishes; but the people of England would not submit to be disfranchised at the will of three gentlemen in Somerset-house. The bill had been brought to its present stage with indecent haste.

Mr. F. Maule said, there had been quite sufficient time for its consideration, inasmuch as it was almost the same with the bill of last year. Mr. Wakley had belied the poor; they were not the persons who had disturbed the public peace by discontents; nor had they shown any of that tendency to combination which he had enlarged upon. The present question was not a pecuniary one; and even if it had increased, instead of diminishing the rates, he would not have grudged that additional cost. If the measure was to be carried on, it could be only by a central management. So little were the boards of guardians fit for the uncontrolled execution of the duty, that there was hardly any abuse of the old system of which some or other of those boards had not solicited the restoration.

Sir E. Knatchbull would not oppose the second reading, though he objected to many of the clauses, and wished for a good deal of relaxation in its working. He instanced, from his own neighbourhood, a class of recent cases where the distress had arisen solely from the continuance of severe weather, and where it would have been right that the guardians should possess a power to give out-door relief, from the impossibility that, during a frost, the poor, however willing to work, should obtain employment.

Viscount Howick believed the act of 1834 to be one of the most beneficial measures ever passed, and rejoiced, therefore, that no one had gone so far as to propose the restoration of the old system, though he thought the adoption of Sir E. Knatchbull's views would gradually bring that system back. Out-door relief given under pressure would be an example discouraging provident habits. It had been objected, that men would endure much suffering rather than enter the workhouse. That was the very thing desired. It threw them on their own efforts, and the efforts of their friends. It was only on the abandonment of those efforts, under the old system, that the character and condition of the English peasantry had declined. He approved the renewal of the term for ten years, in order to prevent agitation, by proving that there was no intention of giving way. Some difficulty would arise about the burials, because the poor-houses were generally in the neighbourhood of large towns with crowded church-yards, and the parish churches of many of the inmates were necessarily distant.

Mr. Darby urged the importance of consulting the people's feelings on the subject of burials. He thought it an important security to the country to limit the term of renewal. It was an error to suppose that the new law restored the principle of the 43rd of Elizabeth; if it had, there would not have been the present opposition to it. The workhouse was not really the fair test it was supposed to be, for an industrious man, attached to his home and family, would refuse it,

when an idle one would take it. The true test between these two classes was to offer them hard work. Where a man had more children than he could maintain, it was consistent with the statute of Elizabeth that some of them should be supplied with work.

Mr. Rice held it to be indispensable that the management should be in a central board. The most eastern part of Kent, where no out-door relief was given, was the district of the county where wages were highest. He should support the second reading, in the hope, however, that the bill would be amended in many particulars.

Mr. W. Attwood observed, that almost all the supporters of the second reading had made it a condition of their eventual support, that the bill should receive great alterations, of which the tone of its authors gave little reason to expect the accomplishment. Hitherto the commissioners had wholly disregarded the suggestions made for the mitigation of their practice; and as every thing showed mitigation to be hopeless, he had no alternative but to oppose the second reading.

Sir E. Filmer said, he would give no vote; for he could not conscientiously support the second reading, and, on the other hand, he did not wish, by voting for the rejection of the bill, to negative all alteration in the existing law.

Mr. Langdale wished for a provision, enabling paupers of all denominations to attend their respective places of worship on Sundays.

Mr. James said, that in his county the original unpopularity of the poor-law had almost disappeared, and the law was working most beneficially. He was favourable to this bill, though he did not like the separation of aged couples.

Mr. Fielden believed that the new poor-law tended not, as had been said, to raise wages, but rather to lower them, and he would oppose this bill in every shape and on every occasion.

Lord John Russell contended that the new poor-law was founded on the principle of the statute of Elizabeth, which goes at once to relieve the old and infirm, but requires from the able-bodied a test to distinguish whether they are willing to perform labour if it be found for them. The duke of Wellington had acted on this principle in allotting relief during a famine in India. It had been said, that hard labour was a better test than the workhouse; but he thought experience was the other way. Then came the question, whether the workhouse test would admit any considerable relaxation; but there had been no suggestion offered which would not, in his opinion, bring back the evils of the old system. Sir E. Knatchbull had pleaded for out-door relief in a season of severe frost. If that were given this year, you must give it next year likewise, to such as might be destitute of work, though the weather should be less severe. Thus, step by step, the ancient evils would be brought back. The present law was for the benefit of industrious labourers, whose welfare the former system destroyed. Here he read some evidence to show what had been the mischief of paying wages by rates, and how much those mischiefs were complained of by men who would fain have been industrious. He entreated the house not to admit the recurrence of so injurious a state

of things, nor seek popularity by undermining the independence of the labourers. He would not enter into detail; but he should regret to see the period reduced from ten years to five.

Upon a division, the motion was carried by a majority of 147, the numbers being—ayes,201; noes,54.

Although the principle of the bill had been thus affirmed by a large majority in the house of commons, yet on several subsequent occasions the attacks upon it were renewed by its opponents, among whom the most conspicuous were Mr. T. Duncombe, Mr. Wakley, Mr. Fielden, General Johnson, Mr. Attwood, and colonel Sibthorp. Upon the motion for the committal of the bill, Mr. Townley Parker moved, and Mr. Grimsditch seconded the motion, that it should be committed on that day six months; the committal, however, was carried by a majority of 196. On this occasion some weighty observations were made by sir Robert Peel upon the language adopted by the commissioners in some of their public documents. He thought that, with the best intentions, there was occasionally a harshness displayed in the vindication of certain principles, which might be avoided consistently with the maintenance of the law, and the avoidance of which would tend to fortify the powers of the commissioners. To give an illustration of this, he would take for instance an official circular published by the poor-law commissioners; one of those public documents directed by the board to be printed chiefly for the use of the guardians. In one of those papers he found the following expressions:—"One principal object of a compulsory provision for the relief of destitution, is the prevention of almsgiving." Why, he heard the noble lord, lord John Russell, himself say, that the poor-law would completely fail in effect if the affluent withheld their alms. That was perfectly true; and he should abominate the poor-law if he thought it relieved the rich from the duty of almsgiving. He was perfectly certain the poor-law would fail if the affluent, relying upon its provisions alone, however improved the system of administration might be, felt that the moral obligation on them to attend to the wants of their poorer neighbours, was thereby extinguished. It was no such thing. In point of fact, the relief of the poor must mainly depend on the rich and affluent; and therefore it was unwise in the commissioners to issue a public document announcing that a principal object of a compulsory provision for the relief of destitution was the prevention of almsgiving. One object might be the prevention of mendicancy, or vagrancy, certainly not of almsgiving. It was a complete desecration of the precepts of the divine law—"Give alms to the poor;" "Turn not your face from the poor man." He only mentioned this as an illustration of the great advantage and wisdom of weighing the expressions which might be used, so as not to give an impression of unnecessary harshness. Indeed, he did think, with respect to the public documents put forth by the commissioners, independently of the use of particular expressions, that their general tone and character might be improved consistently with the maintenance of the principles of the law. He would not enter further into the matter at present.

" Upon another occasion observations to a similar effect were made upon the tone held by the commissioners.

Lord G. Somerset said, that with sincere respect for the commissioners and their motives, he must think that much of the unpopularity of the bill was owing to that harshness of style, and to that arrogance and assumption of infallibility which pervaded their documents and correspondence. They had interfered with every thing, whether properly within their sphere or not. The consequence was, that not only the lower orders, but the community in general, had a strong feeling against them.

Lord John Russell took credit to the government for their selection of the commissioners, which had been made without reference to political considerations; and expressed his opinion that on the whole they had executed their office very judiciously. If they had erred in any thing, it was only in some assertions of a theoretical character introduced into their documents. Arrogance was not a fault which they had deserved to be charged with. As well might he impute that fault to the noble lord, because he sometimes expressed his opinions strongly in that house. It was not fair to shift any odium which the law might have generated upon the heads of the able and deserving persons employed to administer it.

Viscount Sandon was willing to do justice to the private characters of the commissioners, but could not shut his eyes to the severe and overbearing language in which they were accustomed to address all persons questioning their opinions or authority, or complaining of any of their subordinates. They had always taken the niggardly, never the bountiful side. They had always protected their officers, never countenanced inquiry into facts. If they had made themselves, as they ought to have done, mediators between the guardians and the poor, they would have been universally beloved; but, instead of this, they had devoted themselves wholly to the enforcement of their own theory—the impracticable theory, that the law can make all men frugal, sober, and steady, and cause the poor to cease out of the land.

After a great deal of discussion, the first clause, continuing the power of the commissioners for five years, was carried by a majority of 166, the government having given up the longer period of ten years first proposed, in deference to the opinion expressed by sir Robert Peel and other members. An amendment moved by Mr. H. Hinde, restrictive of the powers of the commissioners was rejected by a large majority.

The re-establishment of the powers of the commissioners being determined on, the bill proceeded through committee, being, however, considerably delayed in its progress by a great variety of amendments, suggested by members on both sides of the house. To several of these amendments, not materially affecting the principle of the bill, lord John Russell, before they came on for discussion, announced the assent of the government. Two amendments which gave rise to discussions of considerable interest, deserve a short notice. The first of these, involving the question recently raised as to the right of the state to enforce compulsory education

upon its members, according to the Prussian system, arose upon the 10th clause, which empowers the commissioners to combine unions for the management of infant poor. It was moved by Mr. B. Wood upon this clause, that in order to authorise such a combination, the consent of a majority of each board of guardians should be required. Mr. Goulburn and lord Stanley, supporting the amendment, objected to the principle of compulsorily removing the children of the poor from their families and local connections. They also observed, upon the absence of any provision in the clause for the spiritual instruction of the children, which, they urged, ought to be afforded them according to the religion of the state.

Lord John Russell asserted the principle of compulsory instruction. He insisted that parents, who, from necessity, threw their children on the state, had no right to prevent the state from giving them a useful and religious education. He objected to the appointment of a chaplain of the church of England to be attached to these schools as a grievance upon the dissenters, who would be annoyed at having a new tax levied for such a purpose.

Mr. Slaney advocated the system of union schools in opposition to that of a workhouse education which must necessarily be an imperfect one; but he wished that each school should be provided with a chaplain of the church of England.

Sir R. Peel said he had come to the conclusion that the best mode of education for the children of the state was by the congregation of a great number in one school. He should cordially support the proposal for annexing a chaplain of the church of England to every school. To show the benefits of such an annexation, he read extracts from Dr. Kay's report. He would not leave to the casual inspection of clergy not connected with the school so important a duty as that of instructing the ignorant and perhaps vicious children admitted into the institution. He was not willing, however, to sanction the principle of compelling parents to part with their children. A severe frost might suspend the agricultural} labour of a man with a wife and six children, and force them into the workhouse. In two or three weeks the parents would get into employment again. Thus, if meanwhile the children had been sent to one of these distant schools, the parents would have become entitled to reclaim them after only a few days' sojourn there. If the children had not been sent thither, but kept in the workhouse for those few weeks, they would have been living for that time without any instruction at all, unless you had a double establishment — a workhouse instruction as well as an instruction in the school. Nor did he think it quite clear that it was right compulsorily to take even an illegitimate child from a mother to whom perhaps it was the only consolation, and who, though seduced, might not be vicious. With proper modifications he would support the clause.

Mr. Langdale objected to the doctrine that the state was to educate every child adopted by it in the state religion, without regard to the religious creed of the parents. He spoke with reference to the Roman catholic body to,

which he himself belonged, and he could scarcely believe that he had rightly understood the expressions of sir R. Peel.

Sir R. Peel explained, that if both or either of the parents objected to the child's instruction in the religion of the state, he did not desire to force that religion on that child.

A division took place on Mr. B. Wood's amendment, which was carried against ministers.

Mr. Colquhoun then moved an amendment upon the same clause, providing for the annexation to each union school of a chaplain belonging to the church of England, with liberty to those children whose parents, or whose sponsors after the parents' death, should disapprove the church doctrines, to be attended by other religious teachers. The words "natural guardians of the child," were afterwards, at the suggestion of viscount Sandon, substituted for "the sponsors."

Mr. Hawes and Mr. Ward, on behalf of the dissenters, opposed the proposition, and lord John Russell at first objected to it, but afterwards upon the terms of some slight alteration acceded to the clause as amended, which was affirmed upon a division.

It was justly observed at the time, that this amendment of Mr. Colquhoun's, although apparently sanctioning a principle favourable to the church, in reality by no means involved any concession on the part of those who represented the dissenting interest, since the clause, expressly provided, that in the event of the parents or natural guardians of the children objecting to the doctrines of the church, a minister of their own persuasion should be appointed and should receive such salary as the poor-law commissioners should decide. The practical effect of this amendment if it had afterwards become law, would, it is obvious, have actually carried the recognition of dissent by the state somewhat further than has been hitherto thought consistent with the principle of an exclusive religious establishment, since under its regulations, upon the mere expression of an opinion on the part of the parents or guardians of children, the commissioners would have been not only empowered, but required, to appoint an unlimited number of salaried dissenting chaplains to every district school. Such a consequence was perhaps hardly attended to, as it was not distinctly pointed out during the discussion, or it is probable that many members of the house would have objected to the unquestionably large concession which it involved.

It would be tedious and useless, considering the fate which this bill eventually met with, to pursue the history of its discussion upon the several clauses, which occupied a large portion of the time of the house of commons during this session. Our object has mainly been in this account of the progress of a measure which ultimately proved abortive, to illustrate the state of feeling and opinion prevalent in the house respecting that most important alteration in the laws affecting the poor, which had been recently introduced. To enter further into detail would be superfluous, as this measure, after undergoing so much discussion, finally shared the fate of several other important measures, as we shall have occasion to relate when we come to

the transactions which immediately preceded the dissolution of parliament.

It would be improper to conclude our account of the transactions relating to the poor-law in this session, without some notice of the remarkable result of an election of a member for the town of Nottingham, which took place in the latter part of April. Nottingham had for thirty years been a stronghold of the liberal party; and the chances of a Conservative candidate would have seemed under ordinary circumstances to be very small. Upon the death of sir Ronald Ferguson, however, Mr. Walter, formerly M.P. for Berkshire, and well known as a principal proprietor of the *Times* newspaper, announced himself as a candidate. —The politics of this gentleman were well known to be strongly Conservative, and he was opposed by Mr. Larpent on the whig side; but throwing aside all other questions, Mr. Walter boldly took his stand upon the ground of an uncompromising hostility to the new poor-law, and so successfully did he appeal to the feelings of the electors that, by inducing them to merge all other differences in a cordial sympathy on this one question, he was returned by a majority of 238 over his liberal opponent. This result produced a great impression at the time throughout the country, and tended much to animate the zeal of the enemies of the obnoxious law. That the effect was owing entirely to a temporary junction of opposite political interests was clearly evinced by the very different result of the contest which followed upon the general election, when Mr. Walter was left far behind his former unsuccessful opponent on the poll. The warmth of feeling on the subject of the poor-law had apparently by that time subsided or given way to the pressure of other questions of still more exciting interest.

The annual report published by the poor-law commissioners for the year 1841, contains an account of the progress which had been made in carrying that measure into effect in Ireland. They state that the total number of unions which had been declared was 127, and that only three more remained to be formed, which would make the total number required. Great progress had been made in building the necessary workhouses, fourteen of which, at the date of this report had been completed and opened for the paupers. Of course, the system had not been sufficiently long in operation to warrant the commissioners in expressing a decided opinion respecting its working and effect, yet they state that their experience, so far as it enabled them to judge, afforded good hopes of the results of the measure, and that it would produce very important indirect benefits to the several localities.

A protracted enquiry took place in the house of lords, in the early part of the session, respecting the falsification of certain returns from the office of the poor-law commissioners in Ireland, relative to the election of a returning officer for the Clonmel union. The subject was brought before the house by the earl of Glengall, and Mr. Nicholls, one of the poor-law commissioners, and several of the assistant-commissioners, were examined before the house. The result of the enquiry was to fix the misconduct upon

Mr. William Stanley, the secretary of the poor-law commissioners. The conduct of this gentleman was affirmed, upon a resolution moved by the earl of Glengall, to be a contempt of the house, but Mr. Stanley having resigned his office, and being stated to be in a very weak state of health, the house agreed to waive further proceedings against him.

CHAPTER III.

Affairs of Ireland. Registration of Voters—Lord Stanley revives his measure of 1840 *for Reform of Registration—Motion for leave to bring in the Bill—Speeches of Lord Stanley and Lord Morpeth—Mr. O'Connell moves adjournment—It is negatived by* 261 *to* 71*—Lord Morpeth introduces a Bill on the same subject—Its leading provisions—Definition and extension of the elective Franchise proposed by it—Feeling of different parties in the House on the occasion—Speech of Lord Howick—Debate on second reading of Lord Morpeth's Bill—Severe denunciation of the ministerial tactics by Lord Stanley—Mr. C. Wood supports the Bill—Debate continued for four successive nights—Speeches of Sir W. Follett and Mr. C. Buller—Allusion of the latter to our Foreign Relations—View of the Bill taken by Mr. Slaney—Exposition by Sir J. Graham of the progress of ministerial concessions to the Repeal party—Speeches of Mr. O'Connell, Sir R. Peel, and Lord J. Russell—Second Reading carried by a majority of* 5*—Postponement of Committee on the Bill—Severe remarks thereon by Lord Stanley—Language of Mr. O'Connell, and of the Irish Press, on the Registration question—Lord Stanley's Bill postponed—Alteration in the ministerial Bill announced by Lord Morpeth—House goes into Committee—Lord Howick moves an amendment on the first clause—It is opposed by Lord Morpeth—Speeches of Mr. C. Wood, Lord Stanley, Mr. O'Connell, Lord John Russell, and Sir R. Peel—Amendment carried by* 291 *to* 270*—Adjournment of the House—Statement of Lord John Russell on* 28*th April—He acquiesces in Lord Howick's Amendment—Statement of Lord Howick—Debate thereupon—Altercation of Mr. Ward and Mr. Hume—Various divisions on amendments and other motions—Curious confusion of the debate, terminating in a majority against the Government of* 11*—Lord John Russell throws up the Bill—Remarks of Sir R. Peel—Reflections on the effect of the preceding transactions upon the character and prospects of the Government.*

THE proceedings in the house of commons upon the subject of the registration of voters in Ireland, which occupied a considerable portion of the session of 1840, but terminated without any legislative result, will be found recorded at some length in the preceding volume. A reference to them will show, that when lord Stanley found himself at length compelled, by the incessant and systematic opposition of the ministerial party, to give up his attempt to carry his

bill through the house, he declared his determination to introduce a similar bill at so early a period in the next session as would enable him, in spite of such attempts as had hitherto proved too successful to thwart his object by delay, to carry it into a law, which might come into operation no later than was proposed by the original bill. In pursuance of this pledge, lord Stanley, on the first day of the present session, gave notice of a motion for leave to bring in a bill to amend the laws relating to registration in Ireland. The government, however, had this time adopted another plan for defeating the measure. A rival plan was prepared, to be submitted to the preference of the house. The notice of lord Stanley was followed by one from viscount Morpeth, but it was announced that the ministerial bill was to include that object, the omission of which had been made so strong a ground of objection to lord Stanley's—namely, a definition of the qualification for the franchise. The motion for leave to introduce lord Stanley's bill was fixed for the 3rd of February—for that of the ministers, two days later. On the former day, lord Stanley opened his plan to the house. He said, he did not conceive it would be needful for him to trespass at any length on the attention of the house, since the bill which he had now to propose was founded on the same principle, and embodied nearly the same provisions, as that which last year he had introduced, which was then so much discussed, which was affirmed by the house on the second reading, and, but for the delay which had arisen, would now have been law. The abuses of the registration system were universally admitted, and a remedy was absolutely necessary. He would briefly point out the main provisions which he intended to apply to these evils. First, the abolition of certificates as evidence of the right of voting, and the substitution of annual registration, on the English system; together with a public notice, similar to that required in England, on the part of the person seeking to establish his claim to the franchise. Also, to appoint other places besides the quarter-sessions towns for the work of registration, which should form the business of a separate circuit. The next alteration related to the appeal from the decision of the assistant-barristers. At present the sole remedy was by resort to that universally-deprecated tribunal — a committee of the house of commons. If this remedy were taken away, some other mode of appeal must be supplied. He had sought in vain to find any more free from objection than that which he had proposed last session, namely, the appeal to a judge of assize, to whom also he meant to give a discretion in awarding limited costs in cases of frivolous or vexatious appeal. He would, however, introduce a provision to obviate all objection to this part of the bill, to exempt from costs, in all cases, the party coming forward to support the decision of the court below. There had been an association formed since the bill of last year was discussed, having for its object the investigation of the registration question, the establishment of objections to his (lord Stanley's) bill, and the support of the government views on the subject. He wished to avoid all irritating topics in this discussion, and would speak with all respect of that association, but he was most

anxious to show to the house that, on the main grounds on which his measure had been so vehemently attacked last year, he had the full concurrence of the Ulster association. These points were, the abolition of certificates, the registration before the assistant-barrister, and the formation of a court of appeal, in lieu of a committee of the house of commons, with the power of awarding costs in certain cases. Such were the points of agreement; —what, then, were the points of difference? The first was, whether the registration should be annual or quarterly. He had formed a strong opinion that it ought to be annual, and a majority of the house last year had pronounced that opinion. In the next place, as to costs:—the Ulster association proposed that costs should never in any case be given as against the claimant, but that they should be given as against the objector in all cases in which he failed to establish his objection. He proposed, on the other hand, that as against either party costs, never to exceed 5*l.*, should be given where either claim or objection was frivolous or vexatious. This proposition he could not but think was the more equitable of the two. An amendment had been proposed by the attorney-general for Ireland, to the first clause of the former bill, and carried by a small majority, the effect of which would be to make the name of the voter, once placed on the register, for ever after immoveable, except for disqualification subsequently arising, however originally destitute of qualification or right he might have been. All such votes would be swept away, if the right of objection were made annual, as in England; but he did not propose to go so far as this. For the sake of protecting the voter who was once on the register, he would propose that he should remain on for life, unless the objector could establish an absolute disqualification against him, such objector, in the event of failing to do so, being liable to costs. With respect to persons who should have obtained certificates, he was willing to concede that they might remain on the register without question so long as their certificate had to run. On another point he was prepared to remove an objection which had been urged against his bill. In the form of notice of objection to be served on the voter, he was willing to propose that the grounds of the objection should be formally specified. He had now referred to all the points of difference which existed between his plan and that of the Ulster liberal association. He would now advert to a point not included in the bill; but Mr. O'Connell had given notice of an intention to move the adjournment of the house, unless he (lord Stanley) introduced into his bill a clause for the purpose of defining the franchise. He would now, therefore, distinctly state his intention to introduce no such clause. He saw clearly that if he wished to carry this bill, or to carry any bill, he must separate the two objects. The propriety of this course had been affirmed by a large majority of the house last year, upon a motion made by Mr. O'Connell himself for combining the two questions; and many members of the government had then voted with him (lord Stanley) against coupling the question of franchise with that of registration. He admitted the difficulties arising from the division of opinion among the judges on the

question of franchise, but he felt convinced that if he attempted to settle that question by the present bill, the attempt would fail, the session would pass away before any thing was done, and the abuses of the registration would be prolonged for another year. In conclusion, lord Stanley said, he wished to discuss the provisions of this bill in the most friendly temper and spirit; he would respect the arguments of such as should oppose his views; and he would readily bow to the decision of the house on any points not involving the principles of his measure.

Viscount Morpeth said, that he had no intention of opposing lord Stanley's introducing his bill. He observed, however, that its main features remained the same as last year. He had already given notice, on the part of the government, of a bill which they meant to introduce on the next day but one following, and in that bill it was his intention to ask the house to concur in determining the qualification, as well as the mode of registering the voter. He was sure that no measure, having the latter object in view, could be complete or satisfactory without a concomitant definition of the franchise.

Mr. O'Connell delivered an angry and bitter speech against lord Stanley, in which, however, he evaded discussing the grounds upon which the bill was introduced, and, contrasting the population of some of the Irish counties with the number of votes on the registers, and the relative proportion of voters to the entire population in Ireland and England, inquired whether the noble lord grudged so small a number of voters to so large a population as that. Was this the enormous multiplication of fraudulent voters complained of? Was this an union between the two countries? He thought that lord Stanley ought not to be allowed to introduce his bill before that of the government was laid before the house. The noble lord's object was, not to amend the registration, but to give a death-blow to the liberties of Ireland. He (Mr. O'Connell) would meet him foot to foot; and he now moved that this debate be adjourned till after the 4th instant, when the government measure would come on.

Lord John Russell said, that his objections to the measure of last year were very little diminished by lord Stanley's present statement. He could not but view with much jealousy and alarm a measure to reform abuses in the registration, which was to act entirely by way of restriction. The bill proposed to retain the franchise as it existed according to law, but also proposed that that franchise should be ultimately determined by a court of law. He must say, without any imputation of undue bias to the judges, that the general tendency of courts of law was to restrict the franchise by technical definitions and distinctions. Now, if parliament were to pass a bill by which the whole franchise would be left to the decision of the courts of law, he could easily imagine that, in no long time, the effect would be its ultimate limitation to a very small number of persons. They should be very careful that, in raising up a barrier against the fraudulent voter, they did not throw obstacles in the way of rightful claims to the franchise. He could easily imagine cases in which parties possessing good right to the franchise might be so harassed by the trouble, expense, and

difficulties to be incurred in maintaining their votes, when repeatedly objected to, as to prefer abandoning their claims altogether, and thereby to throw discouragement upon others similarly circumstanced. On the whole, he believed it would be impossible to settle this question thoroughly, and with any satisfaction to the people of Ireland, without including the consideration of the franchise in any measure proposed for reforming the registration. He could not, however, deny, that the noble lord was quite justified in the course he had that night taken; and after the sanction given by the house last year to the general principle of the measure, he thought there was no parliamentary ground for refusing leave to bring in the bill, and he should vote for the motion. A division then took place on Mr. O'Connell's motion of adjournment—Ayes 71; Noes 261—Majority 190.

Two days afterwards the government bill for the same object was brought into the house of commons by viscount Morpeth. The main features of the plan, so far as it related to the registration of voters were, to abolish certificates, to make the register conclusive of the right to vote, except where disqualification by matter subsequent appeared, to establish an annual revision of the registers, and to give a right of appeal, equally to the claimant and the objector. The main point of difference between this bill and lord Stanley's, consisted in the tribunal to whom the appeal was to be made. The government proposed, for this purpose, the erection of a new court, consisting of three barristers of certain standing, whose appointment was to be vested in the speaker of the house of commons. Such was the plan proposed, as regarded the subject of registration, but by far the more important object of the bill, and the vital difference by which its authors sought to get the preference for it over lord Stanley's, was the addition of a set of provisions intended nominally to define, but really to alter and place upon an entirely new footing the elective franchise of this part of the kingdom. Adopting as his warrant the uncertainty and diversity of opinion which prevailed respecting the construction of the franchise conferred by the Reform Act, viscount Morpeth declared the intention of the government to settle the question by adopting an entirely new basis, fixed and ascertained, exempt from tendency to fraud, and carrying its own check against abuse along with it, viz.: the valuation under the new Poor-law Act. As however, from the mode in which that valuation had been taken, and the scale on which it had been formed, the effect of its application, according to the existing standard of the franchise, would be very much to diminish the numbers of the electoral body, and as in any measure proposed for settling the franchise, it would hardly be supposed government would propose to cut it down; the bill proposed to enact that every occupier of a tenement under a holding of not less than fourteen years of the annual value of 5*l.*, according to the valuation under the Poor-law Act, should have the same right of voting previously enjoyed by persons having a beneficial interest to the amount of 10*l.*

Considerable surprise and some indignation were expressed by members on the Conservative side,

at this explanation of the tactics of the ministers. They complained of the unfairness of thus introducing by surprise and without any notice, a fundamental alteration in the elective franchise of Ireland, founded upon principles unknown both in England and Scotland. It was represented as a new reform bill for Ireland, tacked on as a postscript to a bill for amending the registration. The 5*l.* franchise, it was said, would be little short in effect of the introduction of universal suffrage. On the other hand, Mr. O'Connell and some of his partisans loudly expressed their satisfaction at the proposed measure, which they declared, if accepted by the house, would convince the people of Ireland of its friendly disposition towards them.

Viscount Howick, who in the last session had signalised himself by voting in favour of lord Stanley's measure against his own party, declared his intention of supporting a measure, which gave to Ireland that extension of the suffrage which he thought her interests and the principles of liberty required, though he had felt bound last year to give his concurrence to a measure which was intended to prevent the law, as it then existed, from being defeated by illegal means. He said, that his object in voting for lord Stanley's bill last year, was not to restrict the franchise, on the contrary, he had then declared his anxiety to amend its defects, and he now gladly concurred in the plan which was proposed for that purpose.

On the 22nd of February, viscount Morpeth having moved the second reading of his bill, lord Stanley rose: he said, that but for the annexation to a bill, purporting to have in view the amendment of the registration, of a postscript which tended to alter the representative system settled so recently as 1832, he might have suffered the second reading to pass unopposed, since the points, upon which his measure and that of the government differed with respect to the subject of registration, were no longer either numerous or important. They had conceded an annual revision of voters, and they had consented to give an appeal against claimants admitted as well as in favour of claimants rejected. The tribunal of appeal proposed by viscount Morpeth was different to that proposed by himself. To the principle of vesting the appointment of the barristers, constituting the court of appeal, in the speaker he was decidedly opposed, being convinced that such a duty, however impartially performed, would be sure to subject the speaker to misrepresentation and imputations which ought never to be cast upon the person who might fill that chair. The principle of giving costs against claimants, which was one of the strongest objections to his (lord Stanley's) bill last year was now affirmed in viscount Morpeth's bill, and without the same restrictions which he had proposed. He had now merely stated the points of difference between the two bills—he had not argued upon them, for he wished to proceed to another and far more important branch of the measure—the *tack* which had been affixed to the bill —with what intention he did not presume to say, but which would have the effect, unless he was much mistaken, of defeating the attempt on both sides of the house to amend the evils of the existing

registry. Without meaning any disrespect to viscount Morpeth, he must say that his first, and not his smallest objection to the bill, was, that it had been introduced under false colours and upon false pretences. He saw in this bill another step in that line of policy which had been so peculiar to the present administration, which they had pursued from the first moment of their existence until now. Upon this principle they had acted in 1835 when they refused to consent to sir Robert Peel's bill for the settlement of the tithe question in Ireland, unless he would affix a tack to that measure which they then declared was a *sine quâ non* to the settlement of the question. Yet, this very *sine quâ non* they had afterwards abanboned. Such was the policy with which they acted, not with the view of achieving any practical result, but for the sake of enabling themselves to maintain for a few years a struggling existence, and delude a portion of their supporters with the plausible semblance of concessions. In the last session, after the house had affirmed the principle of his bill, a determined opposition was taken to it on the ground that it contained no definition of the franchise. The solicitor-general for Ireland had then introduced a bill which contained a clause to define the franchise, and now the noble viscount had abandoned that definition altogether. and on the most meagre statement he had ever heard from a cabinet minister, had proposed in the present bill, not a definition, but a total alteration of the franchise of Ireland. When in 1839 Mr. O'Connell moved for leave to bring in a bill to assimilate the franchise in Great Britain and Ireland, the noble viscount had opposed the motion on the ground that it was not right to interfere with arrangements which had been settled by statutes of so recent a date. This declaration to adhere to the principles of the reform act was made in 1839, repeated in 1840, and repudiated in 1841. Whence had these new impressions on the noble viscount's mind been derived? Lord Stanley here quoted an extract from a speech made by Mr. O'Connell in 1839, in which the proposition of establishing a 5*l.* franchise in Ireland, as being equivalent to the 10*l.* franchise in England, had been made. By the bill before the house, continued lord Stanley, it was proposed to introduce a class of voters, who had less interest, were more dependent, more subject to influence, more numerous, and in every respect inferior to the disfranchised 40*s.* freeholders. If the noble viscount intended to give a more extended franchise to Ireland than was enjoyed by England or Scotland, he ought plainly to state to the house the grounds on which he vindicated this intention. With respect to the basis proposed for the new franchise, he did not mean to deny, that a fair and impartial valuation for the purpose of taxation, might be of important service in affording a test of the elective right; but the valuation now going on under the new poor law did not possess those requisites of impartiality, uniformity, and absence of political influence, which could alone make it serviceable for this purpose. That valuation was now going on, and what could be more certain to taint and prejudice it than the fact of its being intended to constitute the test of political privileges? The Reports on which viscount Morpeth had

based his measure showed plainly that the valuations in the different unions had been made upon no principle of uniformity, the valuators having utterly set at nought all the directions of the Act. He would admit what viscount Morpeth had stated to be true—that the valuation would be in all cases below the real value, but should the real value of the property rated at 5*l.* be 10*l.*, or even 15*l.*, it would not diminish his objection to the principle of the bill. The valuation wanted the principle of uniformity and correctness so completely that he could never consent to take it as the basis of the franchise; but even supposing it were accurate, still he objected to a principle never before introduced into any other bill—that the franchise was to be given according to the rent that was charged, and not according to the amount or value of property possessed by the voter. As to the probable amount to which the franchise would be extended by adopting the 5*l.* standard, the house had no information at all, but the noble viscount, following Mr. O'Connell's mode of argument, had compared the present number of voters with the entire population of various counties, and again contrasted these with certain counties in England. Now he repudiated that argument altogether as a basis for the alteration of the franchise. Was there ever such a principle laid down as that there should be a certain proportion between the population and the constituency, by which the constituent amount of qualification should be determined?

Lord Stanley then proceeded to an examination of the causes which would account for the small proportion of voters in Ireland, arising out of the agricultural state of that country, the land being subdivided in the hands of a vast number of small holders, and landlords being generally averse to grant qualifying leases in consequence of the political condition of the country, and the influence exercised upon tenants to set themselves in opposition to their landlord's political views. He regretted that such a state of things should exist, and should lead to a diminution of the constituency, and if it were shown him that such a course had produced the result of placing the Irish representation in the hands of a few monopolists, in opposition to the principles of the Reform Act, he would be ready to join in measures for remedying such an evil. But the existence of such a grievance must first be satisfactorily proved. Now, upon the evidence of papers which were before the house, it appeared that the county constituency of Ireland had increased in ten counties out of twelve, that the amount of the net increase since 1835 was 10,419, and that since 1832 it had increased more than cent. per cent. With respect to the borough constituency, in almost every borough there had been an increase since 1835. Making full deductions for double registrations and for fictitious votes, still these returns proved a very large increase. Finally, he asked for a reason why the household franchise should be lowered from 10*l.* to 5*l.*? Why introduce in Ireland a qualification wholly different from that of England or Scotland? It would be giving the franchise to a class of persons infinitely below the English day-labourer, in education and habits; to men whom their land-

lord would expel from house and home so soon as they should exercise the franchise in a manner opposed to his wishes. In conclusion, he said he did not press upon the house on this occasion, because it was an argument which would immediately suggest itself to the minds of all who heard him, how impossible it would be to grant this extension of the franchise to Ireland and to withhold the same boon from England and Scotland. The noble lord concluded by declaring that even if he stood alone, he would oppose this bill.

In the brief summary to which we are necessarily limited, it is impossible to give more than an imperfect outline of lord Stanley's speech, which was of unusual length, but at the same time of uncommon ability. A more searching and masterly dissection of a political measure has not often been presented to the house of commons. The tone, at the same time, though earnest and severe, was temperate, and free from anything like asperity or irritation. Lord Stanley was followed by Mr. C. Wood, who in the preceding session had pursued the same line with viscount Howick, in supporting lord Stanley's bill. He now, however, like viscount Howick, declared his intention of voting with his former friends in favour of viscount Morpeth's measure.

After speeches from Mr. Litton, Mr. Fitzpatrick, and Mr. Lucas, viscount Morpeth addressed the house. He began by retorting on lord Stanley the charge of excitement and disturbance. Lord Stanley had said the rating clause was but a tack and a postscript: for himself, he regarded it as the preface, nay, as part of the text itself, a main part too, and one without which the rest would have no chance of being brought to a satisfactory issue. Ministers were taunted with an excessive partiality to Ireland, but it should be remembered that these 40*s.* freeholders had not, as in England, the right to vote. They were disfranchised to the number of 191,000 at the time of the Roman Catholic Relief Act. He insisted, on the authority of Mr. Lucas and Sir D. Norreys, as favourable to the principle of the rating test; and as to the amount, that question was for the committee. He should rather have waited till the experiment of the poor-law had been further ripened, but lord Stanley's attempt at legislation had forced the government forward. It had become necessary to take some step, for almost all the litigation, whether in the registration courts or before committees of the house, now turned upon questions of value; and the Irish bench themselves were divided in opinion. Lord Stanley's bill, while it would get rid of dishonest claimants, would be still more likely to drive away quiet and well-disposed persons. The poor-law rating, on the contrary, combined most of the advantages of a test; though certainly it would not be an exact measure for each particular case. The question of amount belonged more properly to the committee than to the second reading; but he would not shrink from dealing with it now. The government, on looking into the facts, were satisfied that even a 5*l.* net rating would exclude many voters of the kind which the Reform Act meant to admit, and they considered that, by fixing the amount at a 5*l.* gross rating, they

were adopting a test, which perhaps might be called a liberal, but not an inordinate one. The document which lord Stanley had relied on, as shewing an existing constituency of 91,000 voters, had been made out before the registration of last autumn, at which time all franchises registered in 1832 would have expired, unless previously renewed: but at all events there would soon be a new return, giving the actual numbers at the present time. Towns as well as counties were included in this arrangement, for it was thought desirable to take the opportunity of settling the whole subject at the same time. He vindicated the provision for quarterly registration, and the restriction upon appeals touching matters of fact. He trusted that the house, in choosing between the two bills, would act in the spirit of the Reform Act, that they would guard the honest voter against the many difficulties devised by lord Stanley against him, and that they would give the preference to a measure conciliatory to the great body of our Irish fellow-subjects.

The debate was then adjourned. On the second night, after speeches in favour of the bill from Mr. S. O'Brien and Mr. Carew, and from Sir R. Bateson and Mr. Young against it, lord Howick addressed the house and explained his reasons for supporting the ministerial measure. He dwelt on the urgent necessity for a definition of the franchise, and extenuated the alleged frauds and perjury of the Irish voters, on the ground of the uncertainty and diversity of opinion respecting the law. He approved of the principle of adopting the poor-law rating as a test of value, and although he admitted that the valuations now before the house were far from satisfactory, he did not think this a ground for opposing the second reading of the bill. He adverted to the progressive diminution of voters in Ireland in consequence of the system which landlords pursued of refusing to renew leases; he thought the number would be still further decreased by lord Stanley's bill. Though not fully satisfied with all the details of the measure he would vote for the second reading.

Sir W. Follett said, that the main point on which he and the Conservative party founded their opposition to the bill was, that under pretence of affording a definite test of qualification, it attacked the Reform Act on a material point. He and they approved in principle of a test founded on the rate to the poor properly assessed. He knew not why it should be supposed that they were hostile to such a test; on the contrary he had supported it, and his right hon. friends near him had supported that test as applied to the qualification for voting in municipal bodies. What he objected to was this, that, under pretence, if he might so say, of applying the poor-rate as a test of value, this bill swept away and destroyed the present elective franchise in Ireland. It entirely and completely destroyed the constituency created by the Reform Bill, and substituted another constituency on a totally different principle and of a totally different character.

Mr. C. Buller supported the bill at considerable length. He said that the object of the opposite party was to establish the old Orange ascendency. But he advised them to look not only to the strength and temper of the Irish

people, but also to the critical state of our foreign relations. This was delicate ground to touch upon, but it should be remembered that all the great political acquisitions of Ireland had been made at such critical times. This allusion was received with some expressions of disapprobation by the house. The debate was a second time adjourned, after a speech from Mr. Macaulay.

On the third night the house was addressed by Mr. Serjeant Jackson, Mr. Thesiger, and Mr. Milnes on one side, and by Sir W. Somerville and Mr. Brotherton on the other.

Mr. Slaney took a middle course. He objected to the low amount proposed for the franchise, which ought in his opinion to be adjusted to a *bona fide* equivalent for that given by the Reform Act. He should vote, however, for the second reading, with the desire of modifying the 5*l.* clause in committee.

Sir James Graham made a long and powerful speech against the bill. He arraigned in forcible terms the motives of the government in bringing forward the bill which they could not have the slightest hope of carrying, but which was of a piece with that system of continual concessions, of constitutional changes, which they had from the first pursued to conciliate their radical supporters. He traced the progress of this system, in various instances, from the return of the Whigs to power after their resignation in 1835. Then came the present concession of the 5*l.* franchise, which could be regarded in no other light than as a boon granted to Mr. O'Connell. This measure had been proposed by him in 1832, and then opposed by the government: he had since, from time to time, renewed the attempt to introduce it, and it had been resisted by them with more or less of firmness. Now, at last, they had given way. He must say, he had very evil forebodings as to the use to which this concession would be applied. Mr. O'Connell had declared it was but the means to an end. That end had been explicitly avowed. Lord John Russell and other members of the government had pronounced emphatic condemnations of the agitation for a repeal of the union, but how did their policy consist with such language? Lord Ebrington had recently declared that he would not countenance repeal by bestowing his patronage on any person favourable to it. But what had been the conduct of her majesty's ministers on the subject? The honourable member for Liskeard had said, that there was an instrument by which all popular leaders might be conciliated. That appeared to be the recipe by which the government attempted to put down the repeal agitation in Ireland. It had occurred to him, that it would be worth while to look to a division on a repeal motion made in 1834 by the honourable and learned member for Dublin. In the list there were thirty-eight who voted, and two tellers. He would read it, to show how large a portion of those popular leaders had been conciliated by the delightful recipe. The first on the list was Mr. Fitzsimon, a near relative to the member for Dublin, now appointed to be clerk of the hanaper in Ireland. The next was Mr. Kennedy, then the representative of Tiverton, who now filled the situation of slave commissioner at the Ha-

vannah. The next was Mr. Lynch, now a master in chancery. Then came Mr. Maurice O'Connell, clerk of the registry-office in Dublin. Then Mr. O'Dwyer, of the court of exchequer. Then an honourable gentleman who had been made a baronet—the honourable member for Limerick, he believed, sir David Roche. Then came the teller, who was now the president of the board of trade. Last, but certainly not least, came the honourable and learned member for Dublin, who had last year announced in his place that he had been offered the office of chief baron in Ireland by the government, but had refused it, because he could not trust himself.

Sir James Graham then called on lord John Russell to declare whether he was weary of the Reform Act, and to what extent he was now disposed to carry his innovations on that measure. "He thought that noble lord ought frankly to state whether he intended to make further concessions; that he ought to avow his principles, and give them their legitimate effect, even if the fate of his government hung on the issue; or beware, lest it should be said of him with truth, that he was content to govern by the power of the crown, when he had ceased to command the confidence of the nation." (*Cheers.*)

Mr. Sheil delivered an address, characterised by that species of fervid declamation which usually marks his speeches. He warned the house to consider the present condition of Europe, and to weigh the danger of exciting the enmity of the Irish nation under such circumstances. His speech was followed by a third adjournment of the debate.

On the fourth night, speeches were delivered, for and against the bill, by a great number of English and Irish members, whose arguments, however, were principally a repetition of those used by preceding speakers. A speech of Mr. O'Connell, however, deserves some notice. He asked, "was it politic to tell the people of Ireland that there was no hope for their country or for their religion in any form? The simple question was, whether they would pass a measure to extinguish the franchise of Ireland, or to extend and increase it. That was the real question, and all else was merely collateral matter."

He travelled over the oft-repeated topics of Irish grievances, the penal laws, the insults which Ireland had sustained from England, and the disproportion of the burdens which she was made to bear. He complained, among other things, of the disfranchisement of the 40*s*. freeholders; and utterly denied that it was a compact, or a condition for granting the Relief Bill. He complained of the unequal proportions in which the franchise and representation were distributed by the Reform Act. The constituencies in Ireland were gradually diminishing, and the Irish people had to thank lord Stanley for having called attention to this fact. He denied that this bill would extend the franchise too far. He would gladly give a vote to every man in Great Britain as well as in Ireland. Again, alluding to the danger of foreign war, so long as Ireland continued dissatisfied, Mr. O'Connell exclaimed—

"I want you to tell the people of Ireland that all these divisions shall end; that you will identify them with you. Oh! refuse it—

I threaten you with nothing. I prophesy—I tell you that you are the real repealers, and not I. I tell you, that by this additional insult you bring the banner of repeal amongst a people altogether of the middle classes, and many of them of the leading gentry."—Of this they might rest assured, that while he lived, no violent measures would be taken in Ireland. He relied with confidence on the Catholic clergy, those truest "unpaid magistrates," to second his efforts to this end. Outrages committed by a remnant of the Orange party on Catholics might occur, but never a tangible rebellion.

Sir Robert Peel began by some severe animadversions on Mr. O'Connell, for the spirit in which he had dwelt upon the old animosities between England and Ireland. It was a libel on the Irish people, to say that they would not join England in resistance to a foreign enemy. He hoped that Messrs. Macaulay, Sheil, and Buller, who had held the language of menace, were prepared to take their course when, in the next session, Mr. O'Connell should advance still further demands as the price of peace. The real object of the present measure was to subvert the old, and to substitute a new representation. He would not suffer himself to be diverted into a consideration of the details of lord Stanley's bill; the introduction of which, however, was the whole argument of the ministerial party, for not one of them said a word in favour of the government measure itself. He wished for a test which would exclude the present difficulties, but he would not agree to continue a system of proved abuses until a new test could be agreed upon. The ministers had no right to tack on to the remedy a condition which must certainly defeat it. By that condition, the county franchise was thrown open to persons possessing not an atom of property; it was a fraud on the compact made at the time of the Reform Act—a compact which, on the ground of its continuing obligation, lord John Russell himself had, so lately as 1837, refused to disturb. It was a fraud on the arrangement for the relief of the Roman Catholic body, whereof one condition was, that the county voters should, if possible, be made an independent body. Without that condition, the Relief Bill would undoubtedly not have been suffered to pass. When lord Morpeth refused to Mr. O'Connell the permission even to introduce his bill for the enlargement of the Irish franchise, it was on the twofold ground of the Relief Act and the Reform Act. On the other hand, he (sir Robert Peel) should himself regret to see any diminution of the constituent body below the standard fixed by the Reform Act. The 40*s.* franchise had been abolished, not by the wishes of the government which passed the Relief Act, but by the testimony of the Roman Catholic witnesses before a committee of the House of Lords in 1825. Mr. O'Connell's evidence at that time was, that the abolition of the 40*s.* franchise would be a positive benefit to Ireland. The persons who really abolished that franchise were Mr. O'Connell and Mr. Sheil, by the proofs which they adduced of the miseries resulting from it; and should we now be told that we were insulting Ireland by refusing to restore such miseries? He then read passages from the evidence of Mr. D. Browne, to show the frau-

dulent system on which the Irish landlords concocted these small votes, and he explained how the franchise now proposed would lead to all the same abuses—to political jobbing, and to the increased subdivision of land. If this franchise were granted, what ground had they for resisting a similar concession to England and Scotland? He called on lord John Russell to declare his intention respecting the Reform Act, whether he meant to hold it permanent or not. The noble lord might have reasons now for holding different opinions to those which he avowed in 1837. There were lukewarm supporters whom it was necessary to conciliate, and his falling power required to be propped up. But his power of resistance to all future demands would be greatly weakened by the precedent now established. Sir Robert Peel then quoted several emphatic declarations made by lord John Russell in 1834 and in 1837, against further changes in the constitution of the House of Commons. These were manly declarations, but the noble lord might now find the pressure upon him too strong to allow him to maintain the same language. He might find it necessary to seek compensation for the loss of that public confidence which he now saw was leaving him, by renewing the alliance with those in that house who appeared ready to withdraw from him their support. He might purchase, by concession on these points, a temporary support. But he (sir Robert Peel) could not help thinking, when the noble lord recalled to mind the declarations of 1834 and 1837, it would abate something of the feeling of satisfaction with which he contemplated his temporary triumph over the pressure of immediate difficulties. Something of dissatisfaction in reflecting on the small majority he might bring to his aid to-night must cast a gloom over the festivities with which, perhaps, he might celebrate the new compact and the new alliance, when the mortifying regret came across him that he had gained that support by receding from the position which had enabled him to arrest the progress of democratic principles, by stopping the progress of social improvement in Ireland, by encouraging hopes in this country, by rousing passions and exciting expectations which he could not disappoint without being the object of indignation, and which he could not gratify without being the fomenter of convulsion." (The right hon. baronet sat down amidst loud and protracted cheering.)

Lord John Russell said, that the Tory government which passed the Relief Bill had been guilty of the same concession to the apprehension of popular demands as sir Robert Peel had reproached the present government with giving way to. If there was any breach of faith, it was in those who shackled the franchise with so many difficulties, that the government, constantly taunted with protecting the abuses of the registration, found it necessary to take some measure on the subject, which, on other considerations, they would have preferred to postpone. They had deemed it indispensable, in introducing such a measure, to apply a remedy to the great cause of the evil—the ambiguity of the franchise. They had selected the franchise now proposed, consisting of a tenure which seemed appropriate to a county franchise, and a rating

which afforded a measure of real value. It was enough to warrant the second reading of this bill, if gentlemen were prepared to vote for the principle; the rest was matter of detail, to be adjusted in the committee. He censured the reflections thrown out upon the judges of Ireland, and regretted that they should be consulted at all upon political questions. Lord John Russell then read some official returns, with the view of showing that a diminution had taken place in the number of electors, and illustrated the fact by reference to the unwillingness of landlords to grant leases. Under such a reduction, some restorative measure was necessary. He then addressed himself to the question, whether any change had taken place in his opinions with respect to the repeal of the Union, and the finality of the Reform Act. With respect to the former subject, they were the same as ever; he still looked on the repeal of the Union as the greatest calamity which could happen to both countries. But it was because he was attached to the Union that he felt bound, as a minister of the crown, to see that the Irish people were not wronged. As to abiding by the principles settled by the Reform Act, his views were still the same as those which he had avowed in 1837, in his letter to the electors of Stroud. But when he found the elective franchise in such a state of doubt and obscurity, so vague and undefined, as to lead to the greatest abuse, and at the same time so restricted as almost to extinguish the constituency, and when he found the judges themselves divided as to what was the law on the subject, he could not think that, by interposing a remedy for such an extraordinary state of things, he was introducing a precedent for a change of system in England and Scotland. He had been reluctant to interfere with the Irish Reform Act till it became absolutely necessary, as it had now become, in consequence of lord Stanley's bill, and the votes of the House of Commons in the last session. He then referred to the statistics of the question, and contrasted the number of registered electors in English counties with the number of those in Irish counties of equal population, and argued that there was more danger of making the Irish exasperated by the restriction, than the English dissatisfied by the extension, of the Irish franchise. He did not fear, in any event, that the allegiance of Ireland would be transferred to a foreign power, yet it was a matter of no small importance at the same time to be able to treat with France, America, or any other power, as the ministers of a sovereign who ruled over an united and happy people. He disbelieved Mr. O'Connell's assertion, that there was any indisposition in the people of this country to do justice to Ireland. On the contrary, he believed that, if the case were fairly stated to the people of England, they would be glad to do that justice. The Irish people had laboured under many disadvantages, but he believed that, from the inestimable effects of the free working of the constitution, the advancement and improvement of that country were rapidly taking place, and that parliament would soon see the benefits derived to the community from their measures. (*Loud cheers.*)

The house then divided, when the numbers were—For the second

reading 299; for lord Stanley's amendment 294—Majority in favour of the second reading 5.

The announcement of the result was received with great cheering from both sides. Lord John Russell stated, that it was the wish of the government that no delay should take place with reference to the bill, and he should move its committal on the Monday following.

The result of the contest on the second reading was not calculated to inspire the government with very sanguine hopes of carrying their measure into a law, even if they had ever entertained serious designs of its becoming so. Out of the narrow majority who had voted for the second reading, some deductions were to be made on the score of those who had reserved to themselves the right, or expressed the intention, of modifying the bill in committee, regarding the 5*l.* franchise clause, according to the ministerial representation of it, as a matter of detail, to which they were in no wise pledged by the present vote. It was obvious, therefore, to every one, even without reference to the fact that the ministerial majority was a rapidly decreasing one,—two seats having been recently lost by supporters of the government at contested elections, and a third abandoned without a contest,—that the division on the second reading, though it might afford the means of throwing over lord Stanley's bill, was in effect no less decisive of the fate of lord Morpeth's, if the proposed alteration of the franchise were to be adhered to as a vital part of the measure. It had indeed been announced by lord John Russell, immediately after the division, that the government would proceed without delay with their bill, and that he should move its committal on the following Monday. When that day arrived, however, a different course had been resolved upon.

At the meeting of the house lord John Russell explained his intentions. His first consideration, he said, related to the business of the house. He believed it would be extremely inconvenient that the discussion in committee should commence immediately before Easter, when many members would necessarily be absent, and when it was very possible that a further postponement would become necessary. Under ordinary circumstances, after 296 members had voted against the second reading of the bill, he should have doubted the possibility of carrying it through its subsequent stages, but the debate which preceded the division had left a different impression upon his mind; several members on the other side having recognised the expediency of adopting some clear method for settling the Irish franchise, while other members who had voted against the second reading had admitted that the poor-rate would form a good test for the purpose. Under these circumstances, the amount of rating became the chief consideration; and though he attached great importance to the amount fixed by the bill, he saw no objection to a brief delay, with a view to enable him to place before the house more precise and positive information. (This announcement was received with loud laughter from the opposition benches.) It would not require much time or trouble to collect that information; and he should therefore propose to take the discussion on going into committee in the first week after the Easter holidays; and with that

view he would now move, that the order of the day for going into committee be postponed till Friday the 23rd April.

Lord Stanley said, he shared largely in the surprise that had been expressed by those around him, at the proposition of the government. He had indeed all along maintained, that the information upon which the assent of the house was asked, was much too meagre and inconclusive to form the groundwork of so important a measure, but he thought the ministers guilty of the height of rashness, in bringing forward such a measure on information which they now admitted was an insufficient guide for a vote of the house.

Lord John Russell was understood to say, "Not all the information which government possesses."

Lord Stanley: "Not all the information which the government possesses! I cannot believe so. I will assume, that government, on giving information to the house, gave all that they possessed. If they have not given all, they have deluded and deceived the house in calling upon parliament to sanction a measure of this vast importance on evidence not only confessedly meagre and imperfect, but confessedly more meagre and imperfect —if I am to credit the noble lord —than it might have been." (*Loud cheering.*)

Lord Stanley, amid the vehement cheers of his party, then proceeded to say that he would take the sense of the house against the clauses which conferred the 5*l.* franchise. He gave lord John Russell great credit for his ingenuity in overleaping ten or twelve order days; the consequence of which would probably be to postpone his (lord Stanley's) measure till a period of the session when it would be defeated by mere lapse of time. He had great suspicion of the motives which had dictated this postponement. He should postpone the second reading of his own bill till the 23rd March; and he promised that within ten days of that time he would be prepared to announce whether it was or was not his intention to press the second reading on that day.

That the result of this procrastinating expedient of the government would be to hang up the subject of Irish registration for another session, was now pretty well understood by all parties. The newspapers in the whig interest spoke in terms of confident triumph of the arrangement. The *Pilot*, generally understood to be the organ of Mr. O'Connell's sentiments, thus characterised the proceeding:—

"Lord Morpeth's bill is postponed until after the recess; in other words, it is a finesse to foil lord Stanley's bill and quash his own. Let us not be humbugged any longer. You who only hang back expecting something to be done, join repeal at once. You will get nothing. Nine-tenths of the people, who have not joined repeal agitation, are, we know, in this state of suspended animation. Let them awake: they may as well wait till the river passes, as expect any thing from English legislation."

Mr. O'Connell, in a letter read at the repeal association in Ireland about this time, thus expressed himself on the subject of the two bills:—

"There are two measures before parliament, lord Morpeth's bill 'to amend the law respecting

the qualification and registration of voters in Ireland'—a bill which truly deserves the name given to it. There is, on the other hand, lord Stanley's bill, entitled 'a bill to amend the registration of voters in Ireland'—a title false as the black heart of its inventor.

"Let Ireland, then, arouse herself. Let petitions pour in in support of the one bill, and in condemnation of the other. Let no idle jealousy prevent the repealers from joining every man who will petition in favour of lord Morpeth's bill, or against lord Stanley's. We have not a moment to spare upon idle jealousies. When the petitions are of any bulk, let them be transmitted as parcels by the railway; which, in that case, can be done much cheaper than sending them by post. Let there be no delay. Petition, petition, petition!

"Lord Morpeth's bill is an excellent bill. We should not conceal it from our friends that we know it to be an excellent bill. We cannot disguise it from our enemies—they know it to be an excellent bill. But it will be an excellent bill only if we get it in the shape in which it has been brought in, without alterations or mutilations. The period is come when, for the first time, we can exclaim with perfect justice, 'The bill, the whole bill, and nothing but the bill.'"

At a meeting of the repeal association, on the 1st March, Mr. John O'Connell, who attended as the representative of his father, thus spoke of the consequences of passing lord Stanley's bill, and rejecting lord Morpeth's:—

"Let the English choose between those two bills; let them confer the blessings of lord Morpeth's bill, or inflict the deep determined curse of which lord Stanley's bill would be the source. Let England now do justice to Ireland, or, so sure as to morrow's sun will rise, Ireland will yet refuse her assistance in the hour of need."

This sentiment, says the report of the proceedings, was received with great cheering.

The next notice of the subject which occurred in the House of Commons was on the 11th March, when lord Stanley said, that in fulfilment of the undertaking that he had given to the house to announce the course which he intended to pursue with respect to this bill, he now moved that the order of the day, for which his bill now stood, should be discharged, for the purpose of fixing it for the 28th April, in full confidence that the government would adhere to its declared intention of proceeding to the full discussion of its own bill on the 23rd April, for which they had fixed it. The order was discharged accordingly.

On the 22nd April, lord Morpeth, having been questioned on the subject by sir Robert Peel, made an announcement of a material alteration which the government intended to propose in committee on the Registration bill. They proposed to raise the amount of rating which was to confer the elective franchise for counties from 5*l.* to 8*l.*

At length, on the 26th April, the House of Commons went into committee on lord Morpeth's bill. The first clause declared, that upon the expiration of one month after a poor-rate shall be established in any county or borough, the act shall come into operation; after which no person is "to be entitled, as a freeholder or leaseholder to

be registered as a voter for such county, in respect of any freehold or leasehold property in his actual occupation, save as herein provided."

On this clause lord Howick proposed an amendment, declaring that no person "claiming under any act or acts now in force to be entitled to be registered and vote as a parliamentary elector for any county, in respect of any freehold or leasehold property in his actual occupation, shall be deemed to have a beneficial interest therein of the clear yearly value required by such act or acts, except as hereinafter provided." Lord Howick disavowed any intention of hostility to the government in bringing forward his amendment. No one desired more than he did to see Ireland in the enjoyment of a *bonâ fide* popular constituency; but he did not think that lord Morpeth's bill would attain that object. The right of voting in counties in England as well as Ireland had hitherto been based on property. Now lord Morpeth's clause entirely set aside that principle; according to that clause, if a person held a lease of fourteen years, and were rated at the amount of 8*l.*, he would be entitled to vote; even though the rent which he actually paid amounted to 16*l.* instead of 8*l.*, and his farm were actually a burden instead of a profit to him. The fault of the existing system lay in the want of agreement as to what constituted a "beneficial interest;" and supposing that were agreed upon, the only test of its amount was the opinion of persons strongly interested one way or another. He proposed a mode of obviating both those difficulties. He proposed that the value of the property should be ascertained by the valuation taken for the purpose of assessment to the poor-rates. Having thus ascertained the value, he examined the lease of the claimant, which, according to the existing law, must be produced at the time of registration. By deducting the value of the rent reserved for the lease, a test of the interest of the voter was obtained, which appeared to him liable to no objection. It then became a question what was the amount of interest which should give the franchise. He should not think himself justified in proposing his amendment, if he were not prepared at the same time to recommend a considerably lower amount of qualification than 10*l.* He believed that the moment the test was applied, its practical severity would be such that all fraud would be most completely and effectually excluded. He proposed, therefore, in the amendment which he was about to move, that the sum of 5*l.* excess of value beyond the rent and charges to which the person who claimed the right to vote was liable, should be considered a sufficient qualification. He thought that a "beneficial interest" of 10*l.* would be not unfairly construed by an excess in rating of 5*l.* This led him necessarily to explain another amendment, to be moved subsequently. Lord Morpeth proposed, as a qualification for the franchise, a lease of fourteen years, and a low rating of 8*l.*; lord Howick proposed that the yearly tenant should be admitted to the franchise in common with the holder of a lease for fourteen years. Lord Howick concluded by urging the advantage to parties on both sides of the house, of effecting a settlement of the question, which neither could resist, but which

neither could carry in spite of the other.

Lord Morpeth freely exonerated lord Howick from the suspicion of being actuated by a wish to embarrass ministers. In reference to lord Howick's closing exhortation, he said that ministers had done their best to show that they would not stand on extreme opinions. Though convinced that the proposal they had originally made with respect to the franchise, could be borne out by all the information which could be supplied to the house from Ireland, they had not hesitated, in deference to the opinion which had been expressed by some persons, that the standard at first proposed for the franchise was too low, to concede upon that point, by raising the amount of rating required to confer a vote to 8*l*.

He sympathised with lord Howick's desire not to diminish the constituency of Ireland; but he thought that the proposed amendments would tend in a very startling degree to defeat the mover's wishes. The first, equally with the original clause, proposed a great alteration in the definition of the "beneficial interest," only in more doubtful terms; and therefore lord Morpeth would retain the words of the clause, as more straightforward. Had the second amendment been moved as an addition to the original bill, lord Morpeth would not have opposed it; but, viewing it as a substitute for the qualification of the bill, it was to be feared that any expectation of an increase to the constituency resulting from it was merely delusive. Besides, he knew that lord Howick meant to propose a further restriction, by requiring actual occupancy on the part of the tenant; a proposition which the house ought jealously to examine. Lord Howick went further than lord Stanley, who did not propose to go the length of a solvent tenant test, while to the stringency of that test lord Howick would add the further rigour which a valuation for assessment always carried with it. Lord Morpeth then entered into a great number of details, derived from the poor-law returns, to prove that the rating under the poor-law was generally below the real value. He then quoted similar returns from several counties, to show the number who would be disfranchised by lord Howick's amendment; by which it appeared that in some counties a test requiring an excess of 5*l*. value above the rent would disfranchise more than three-fourths of the 10*l*. tenant voters.

In short, lord Howick's scheme would have the effect of almost entirely disfranchising the present occupying constituency of Ireland. Lord Morpeth thought there was no plan so likely to correct the electora labuses of Ireland as some simple and fair test of rating, such as that proposed by government.

Mr. Charles Wood explained that lord Howick's amendment was meant as an addition to the government plan. Mr. Wood gave a few figures to show the necessity of the change, to counteract the present practice of not renewing leases. Taking the year 1835 as that in which the Reform Bill might be considered as fairly carried out, he found that, since that time the decrease of voters had been about 7,500, besides those who had been taken off by the system of not renewing leases. The constituency was diminishing at the rate of 5,000 a year. Sir Charles Grey opposed the amendment.

Lord Stanley called upon the house deliberately to ponder the several propositions before it. The proposition of the government—their last proposition, made at the last moment, brought forward two months after the introduction of their bill, and upon evidence obtained, not for the purpose of framing the bill, but for the purpose of bolstering it up—the proposition of the government was to establish, as the franchise for Ireland, the being rated to the relief of the poor to the amount of 8*l.*, without reference to the amount of the tenant's beneficial interest —without reference to the fact whether he was a person having a beneficial interest — whether he was a solvent tenant, and possessed of any property whatever. That was the principle for which the government contended. In opposition to that principle, the noble member for Northumberland had come forward, and said, "I propose to define the existing franchise in Ireland—to define it, certainly, with some modifications and limitations; but I will take rating as a test; and taking rating as a test, I propose that a certain amount of rating (not simply *per se*, but a certain amount over and above the rent) shall be deemed and taken to be, not a new qualification, but the legal and correct interpretation of that for which I contend, in common with honourable members on the other side of the house, namely, the beneficial interest on excess of value over the burdens upon the holding." That was precisely in accordance with the principle of the Reform Act, which lord Stanley wished to maintain, but which the government desired to abolish. However, therefore, it might suit the views of ministers to represent the noble lord's amendment as merely a verbal one, he could by no means agree in the correctness of that description. The amendment distinctly brought before the house the question, "Will you, or will you not, maintain the beneficial interest as a test of the right of voting?" Upon that ground he would vote in favour of the amendment proposed by the noble lord. He should regret to see the constituency of Ireland diminished; but there was no proof that that was the case at present, compared with the number of voters at the time of the Reform Bill. He went into a statement of figures to prove this assertion. He thought that lord Howick had successfully exposed the absurdities or mistakes of the government measure, and that lord Morpeth had successfully argued against the details of lord Howick's plan. He could, therefore, vote for neither scheme; but he should vote for the principle asserted in lord Howick's amendment.

Mr. O'Connell affirmed that the county constituency had decreased by the number of 20,000 since the Reform Act passed, and he went on to compare the proportions between the population and the number of electors in Ireland and Great Britain.

Lord John Russell was sorry to find, from what lord Howick and lord Stanley had said, that there did not appear to be any prospect of settling the franchise of Ireland on a satisfactory basis. He had thought it the duty of the ministers to subject themselves to the taunts which he knew they would receive on departing from their original proposition, in order to bring the question to a close, and procure for Ireland the tranquillity which

would turn attention from political contests to the encouragement of industry, agriculture, and commerce. But it appeared to a great party that this was a course not to be taken. Lord Stanley, he said, supported the amendment because it maintained the principle of requiring an interest above the rent; for that very reason lord John Russell opposed it. Although the sense of the words introduced by lord Howick might be completely changed by a subsequent clause, yet they appeared to sanction a definition of the franchise which would be utterly destructive of it. If the house meant to let the people of Ireland have a real representation, they ought to do it now; if not, let them say so in direct terms, and take their stand upon that declaration.

Sir Robert Peel said, that "lord John Russell had now pursued the course which he invariably pursued when he had some defective cause to advocate—trying to divert the attention of the House from the subject properly under its consideration, by some declamation about political rights to raise a cheer from those who sat behind him, under cover of which he fancied himself triumphant." (*Great cheering from the opposition.*) Sir Robert Peel exposed the inconsistency of the ministerial plan to revive a constituency which was perishing through the refusal of leases, by rendering a lease indispensable to the qualification of the voter. And how long would they maintain the principle that the right of voting should be derived from the profit of the land in England, after adopting the test of mere occupancy and rating in Ireland? "Why, what confidence could we place in you as legislators fit to deal with this subject? (*Great cheering.*) You had the whole of the recess to prepare in; you had notices of this subject under consideration; you had the means of gaining official information, and every element to enable you to bring forward a measure to conciliate public opinion: and you brought forward a measure destroying the existing franchise, and substituting a 5*l.* occupancy. We remained under the impression that that proposition was to be discussed; and, two or three nights before the consideration of the question came on, without a reason being assigned, the noble lord increased the franchise from 5*l.* to 8*l.* And what does the noble lord tell us now? That he could support his 5*l.* franchise by reference to facts and evidence, which show that it was a provision which ought to have been made. Then why has it been abandoned?—whence came the suggestion of objection?—Not from this side of the House. The noble lord says, 'I made this alteration in the hope of conciliating your favour, and now you reject it.' We never objected to the amount, but to the principle." Like lord Stanley, sir Robert Peel said he would vote for the principle of lord Howick's amendment, which he regarded so far in the light of an abstract resolution, declaring the opinion of the House that the profit of the land, and not occupancy, ought to constitute the franchise. The vote on the clause, said sir Robert Peel, must decide the fate of the bill. Mr. O'Connell had referred to the amount of population: sir Robert Peel supposed that government would not adopt that as the test of a free constituency. The question before the house, however, was of another kind. It

was not whether or not the franchise should be coextensive with the population: the question which arose was this—whether her majesty's government had made a provision which entitled them to the public confidence of the house; and he must say, that the course they had pursued on the Irish franchise appeared to him to disentitle them to the confidence of the house or of the country. (*Vehement cheering.*)

Mr. O'Connell said, that he did not demand to make population the sole test of the franchise: it should be taken in conjunction with property. It was so in England—why should it be otherwise in Ireland? Ireland, however, would not despair—she was too peaceable, too well organized. Those who doubted him knew not the country which contained five millions who never tasted the liquor of intoxication. But to his opponents he said, "Go on in your career." They did not disappoint him; on the contrary, they animated his hopes.

On a division, lord Howick's amendment was carried by 291 to 270.

Lord John Russell was not prepared to say to what extent the alteration affected the bill; and he therefore proposed to postpone its further consideration in committee till Monday, the 3rd of May. Lord Stanley suggested that the committee should resume on the previous Wednesday. To that lord John Russell agreed; and lord Stanley postponed his own bill, which stood for Wednesday the 28th of April, until Wednesday the 5th of May. Before proceeding with the committee on that day, lord John Russell explained the course which he meant to pursue. He had asked the house to adjourn after the division of Monday evening, because he believed the words which had been inserted in the first clause to be of very great importance; inferring from what had been stated in debate, that it was intended to exclude the franchise proposed by lord Morpeth. Government, however, would not be justified in considering the vote as conclusive. The principal clause of the bill—that containing the franchise—had been affirmed by the house on the second reading of the bill; and it must be considered that lord Howick's franchise was proposed, not with the view of negativing any other, but as an addition to the franchise contained in the bill—an addition which ministers would be quite willing to accept if the house would adopt their franchise.

Lord Howick explained his intended course. He had never thought of proposing the franchise founded on a beneficial interest, except as an addition to some other franchise. If some other franchise, which admitted a considerable number of electors to the right of voting, were agreed upon by the house, he should, in that case, and in that case only, propose the franchise of which he had given notice. Still, he could not support the government clause. He was, indeed, surprised that the ministers could call upon the house to decide upon it; for any one who knew any thing of public affairs, or of the state of parties, knew that if the clause did pass *that* house, there was no human probability that the proposed franchise would ever become law. The only consequence of further discussion must be to keep up the excitement in the house, and the still more

mischievous excitement in Ireland; leaving the franchise for another year in a state of uncertainty, and retaining for another year all the evils of the registration which arose from the undefined state of the franchise.

Sir Robert Peel said, that the ministers, the persons entrusted with the confidence of the sovereign, had undertaken to settle this great subject, asserting the necessity as well of defining the franchise, as of adjusting the registration. Instead of defining the franchise, they proposed a measure for destroying it. Lord Howick had suggested a different principle, that of retaining the beneficial interest, which he intended to preserve, in addition to, not in exclusion of, other franchises. That principle the government had endeavoured to overrule. They had endeavoured to disfranchise the *bonâ fide* freeholder of a clear interest of 7*l.* 10*s.* He had put his own proceeding upon this plain ground, that property ought to be the basis of a county qualification. But he could not consent to vote an important change in the franchise on the suggestion of an individual member not connected with the government, nor with any powerful party, and not possessing any authority to command the necessary information. Nay, the recent returns expressly stated, that those who prepared them had no materials for calculating the number of voters likely to be produced by one or other principle of qualification. The necessary means of information could only exist in the hands of government, and therefore, though not disapproving the principle of lord Howick's amendment, he could not support it practically by a vote.

Lord Morpeth said, that lord Howick's argument in favour of a 5*l.* beneficial interest had not been resisted by the government, as an addition to their own leasehold qualification by rating of 8*l.*, but as a substitution for it; and on this 8*l.* qualification, they were determined on taking the opinion of the house.

Mr. Sergeant Jackson said a few words; and Mr. H. Grattan made a vehement invective against lord Howick for the proposal of a measure which he had kept alive just long enough to embarrass his friends, and then had wanted resolution to carry through. He said "it was time for Irish members to speak out; and, as for himself, he would risk his life, his character, his all, on behalf of the liberties which were the birthright of his country."

Upon the house going into committee, a discussion arose upon an amendment proposed by Mr. Hume, to fill up the blank in the second clause (with respect to the term of years necessary to ground the qualification) with the word "one," instead of "fourteen." Several honourable members having contributed their suggestions for a standard of qualification, each speaker in turn preferring something different from the last, Mr. Ward rather happily observed, that "gentlemen were really *fishing* for a franchise. One gentleman recommended one thing; another, another. Surely the safe course was to follow the government, who had brought forward their plan, as Sir Robert Peel had said, upon their official responsibility."

Mr. Hume rebuked Mr. Ward for his lecture. "There had been a meeting," he said, "of the opposition members two days since, at which the policy of that side of the

house was decided on; and no honourable member belonging to that side would dare to act counter to it. But a man in Dublin, or in any other part of the empire, knew just as much of what the government intended to do as he did. The fact was, the government did not itself know what it meant to do. (*Laughter.*) Every day some new change was proposed."

Lord John Russell vindicated the proposed leaseholder's qualification, in preference to that of mere occupation.

Sir Robert Peel recommended that the government should be allowed to fill up the blanks in the way which would bring their measure into the shape they intended, and that the vote of the house should then be taken for or against the measure so shaped. To that end, he should vote with the government now, the details of the bill being a matter of perfect indifference to him.

After a little more debate, the house divided, and the government proposal, fixing the term of lease at fourteen years, was carried by 513 to 47. On the proposal to fill up the next blank so as to fix the rating at 8*l.*, Mr. Hume moved an amendment to make it 5*l.* The original motion was carried by 434 to 126. On the question being put from the chair, that the clause do stand part of the bill, Mr. Brotherton moved that the chairman report progress. That amendment was rejected by 428 to 98. Amidst much confusion, Mr. O'Connell then moved that the chairman do leave the chair. Immediately afterwards he moved that the chairman report progress. Mr. Bernal, the chairman, refused to put this motion, and a considerable degree of confusion ensusing, Mr. Wakley taunted Lord John Russell with the vacillation of the ministers, which produced so much embarrassment to their adherents. Lord John Russell retorted upon Mr. Wakley, with some ironical compliments on his inflexibility of principle. Ultimately he said that if this clause were rejected, the government would abandon the bill.

Sir Robert Peel said, that he and his friends might, had they so pleased, have taken advantage of the opportunity afforded them by Mr. O'Connell's amendment, and have got rid of the bill. They wished, however, for a fair and unequivocal decision on the clause, and therefore he proposed adjourning the debate till the next evening, which lord John Russell agreed to.

On the meeting of the house the next night, the question was again put, that the clause should stand part of the bill. This led to a renewed but not very connected debate on the general merits of the bill, the principal speakers being lord Stanley, lord Morpeth, Mr. Charles Wood, Mr. Hume, and Mr. O'Connell. The latter said that the approaching defeat of the bill, which he foresaw, would nevertheless do the ministers much good service in Ireland. It would be useless and tedious to recapitulate, even in brief summary, the arguments used on either side, which, from the frequent repetition of the same topics, had become totally devoid of freshness or novelty. The great interest of the debate centred, of course, in the division, which excited intense eagerness. It at length took place, and the numbers appeared to be—For the clause 289; against it 300—Majority against the government 11.

After the division lord John Russell said he did not complain that the clause had been rejected, but that the grounds of the rejection had not been made intelligible to the government and to the country. He was satisfied that no future bill would be useful, which should not be based on a definition of the franchise; but he thought it could answer no wise or conciliatory purpose to keep up the discussion of the present measure. He then moved that the chairman do now quit the chair.

Sir Robert Peel sought no lengthened discussion on the motion; but he reminded lord John that he had endeavoured to secure a fair division on the merits of the clause. He was willing to make some allowance for lord John Russell's asperity, after what he felt on Wednesday night, when he contemplated the position in which he was placed. When lord John Russell saw Mr. Sheil and Mr. Hume, and others of his supporters, indulging in mutual recrimination with respect to the policy of government, he must have felt annoyed at the contrast with the unanimity on the other side. To show the want of purpose with which the government had acted, sir Robert Peel observed, that, to conciliate one or two individual members, they had raised the rating-test of the franchise from 5*l*. to 8*l*. —a change which, judging by returns from thirty-one unions, swept away 76,000 out of the proposed constituency of 103,000. Such uncalled-for concessions must destroy all confidence in a government's adhering even to its own propositions.

At the conclusion of this speech, a great majority of the members quitted the house, leaving a comparatively small audience to lord Howick, who briefly attempted to justify his own course. Mr. Slaney said a few words, and the chairman left the chair.

Thus came to its end, after so many nights' debate and so much warm controversy, the great party struggle of the session—the ministerial measure for reforming the registration of voters in Ireland; a conclusion to which it had been from an early period pre-doomed by its opponents, if not privately predestined by its authors. There certainly appears much ground, on reviewing the history of its origin and progress, for the conclusion that this bill was introduced by the ministers without any sincere contemplation of carrying it into a law. The operations commenced in the preceding session by lord Stanley, rendered some countermovement on the part of government necessary. Lord Morpeth's bill, little differing from the other so far as the registration question was concerned, but with the popular appendage of an extended franchise tacked on to it, was suddenly put forth into the market, for the obvious and scarcely-concealed object of outbidding the rival measure. So far as the frustration of the latter was concerned, the device was completely successful. Lord Stanley, though he succeeded in overthrowing lord Morpeth's measure, was compelled, as he had himself prognosticated, when early in the session he saw the ministerial tactics developed, to abandon his own, and saw his efforts to reform the abuses of the Irish registry a second time disappointed. But though thus far the end of ministers was answered, it can hardly be doubted that the result of these debates and proceedings

was a heavy moral loss to the government, impairing in no small degree the confidence which had been placed in them, and sensibly lowering them in public opinion. The proceedings on the committal of the bill, which, as belonging to a measure that ultimately came to nought, would in themselves have been unworthy of record, yet possess, it is conceived, some interest as striking illustrations of the decline and nearly approaching downfall of the whig administration.

CHAPTER IV.

Jews' Civil Disabilities removal Bill—Opposed on second reading by Sir R. Inglis — Supported by Lord John Russell — Carried by majority of 113. *Speech of Mr. Gladstone against the third reading—Answer of Mr. Macaulay—Bill passed by* 108 *to* 31. *In the House of Lords it is opposed by the Bishops of London and Llandaff, and other Peers; supported by the Bishop of St. David's, Marquess of Bute, and Earl of Wicklow—It is rejected by a majority of* 34. *Church of Scotland—Non-intrusion question—Subject introduced in the House of Lords by Lord Dalhousie—Speech of Lord Aberdeen—The Duke of Argyll takes up the question—Object of the Bill introduced by him—His Speech, and Debate on first reading—Meeting of the General Assembly of the Scotch Church—Dr. Chalmers moves the deposition of the seven Ministers of the Strathbogie Presbytery—Account of their case—Dr. Cooke opposes him—It is carried by a large majority—The deposed Ministers petition the House of Lords—Lord Aberdeen presents Petition—Speech of Lord Melbourne, who declines to interfere—Expostulation of Lord Brougham with the Government on their conduct—Public Meetings in Scotland to express sympathy with the deposed Ministers—Proceedings of the Non-intrusion party—Speech of a Delegate at Belfast. Seminary of St. Sulpice, in Lower Canada—Ordinance of Lord Sydenham inculpated in House of Lords by Bishop of Exeter—He accuses the Government of favouring the Church of Rome—Speech of Lord Melbourne—The Duke of Wellington objects to the Ordinance —The Bishop of Exeter moves an Address to the Crown—He is answered by Lords Normanby and Ripon—The Duke of Wellington retracts his objection to the Ordinance—The Motion withdrawn. College of Maynooth—Mr. Colquhoun moves for leave to bring in a Bill to repeal the Laws connecting it with the State—He animadverts on the Doctrines taught at the College, and their effect on the character of the Priesthood—Speeches of Lord Morpeth and Sir R. Inglis—Mr. O'Connell vindicates the College and his Church—Bill read a first time, but not proceeded with. Church-rates—Mr. Easthope brings before the House the case of Mr. Baines—His Resolution negatived by majority of* 5—*He introduces a Bill to abolish Church-rates—It is read a first time, but goes no further. Public Education —Motion of Mr. Ewart for appointment of Minister of Education— It is opposed by the Government, and withdrawn—Sir Robert Peel vindicates his own efforts to promote Scientific Instruction. Law Reform—Punishment of Death—Bills of Mr. F. Kelly and Lord*

John Russell—Mr. Kelly's Bill mutilated in Committee—He abandons the measure—The Government carry their Bill—Effect of the new Act. Chancery Reform—Bills of Attorney-General and of Sir E. Sugden—Appointment of two Judges in Equity opposed by the latter—Bill passes through Committee, but finally abandoned by the Government. Serjeant Talfourd's Copyright Bill rejected.

A QUESTION involving very important principles, though it occasioned but little discussion, and slight interest in the public mind, was raised in this session by a bill introduced by Mr. Divett, one of the members for Exeter, the object of which was to do away with the declaration required by the Municipal Corporations Act from all persons taking corporate offices, by reason of which members of the Jewish persuasion had been debarred from holding civic magistracies. It was opposed on the second reading, by sir R. Inglis, who firmly protested against surrendering that principle of the constitution, by which magistracies had hitherto been confined to persons professing Christianity. He was answered by lord John Russell, who supported the bill, and declared his readiness to go further, and admit Jews to seats in parliament, if they should demand that concession. On a division, the second reading of the bill was carried in a thin house by a majority of 113, only 24 members voting in the minority. Some further discussion on the principle of the bill took place on the third reading. Mr. Gladstone renewed the opposition by rising to move that it be read that day six months.

He was satisfied that it was not possible to draw a line between a bill to admit Jews to municipal offices, and one to permit them to hold other offices, including seats in parliament. He would state his reasons for objecting to the bill. They were these. The Jew's profession was in itself a disqualification for legislative offices in a christian country. Christianity was part and parcel of the law of England. Our laws were modelled on the principles of Christianity. The proceedings in both houses of parliament were commenced by the solemn invocation of the Almighty, and the object set before them was the promotion of true religion and the glory of God. The question, then, really was, would they destroy the distinctive Christianity of the constitution? The test for office was at present a Christian test, and this the bill went to annul. He did not know whether he was not rendering himself liable to the charge of "sheer intolerance;" but the ground he occupied was precisely the same as if he were discussing a purely civil question. Let him guard himself in speaking of the Jews as a body. Who could doubt there were many honest, zealous-minded men amongst them? The stronger, therefore, was the objection to investing them with the privilege of legislating for Christians. There were many Jews, doubtless, who would discharge those duties well, but still it was the duty of the state to choose those who, as a class, were most competent for the duties to which they were appointed. Now, he did not see how it could be held that the Jews

possessed the necessary qualifications. Mr. Gladstone here called attention to the great number of questions, essentially connected with the highest Christian considerations, which had come before the house during the last ten years. For instance, in England the questions of church-rates, church extension, and national education; in Scotland, the appointment of ministers of the established church; in Ireland such questions were always arising. These were the questions the most difficult to adjust, the most impossible to agree upon, and which most agitated the country.

If Christianity were a great pervading principle of our law, if most great questions were intimately associated with those principles, then those who rejected Christianity were not competent to enter on those subjects. The proposition was very different from that upon which the claims of the Roman Catholics and Dissenters were founded. With them we had the common bonds of belief in the same Redemption. There were also considerations which broadly distinguished their case from that of the Jews. The one adhered as strongly as ourselves to the text of Christianity, the other did not. The one constituted a large majority in one portion of the united kingdom — the others were scarcely perceptible on the face of English society. So much as to numbers, now as to grievances. He was not aware that the Jews had any especial ones to complain of. No allegation of this kind had ever been made. It was to be borne in mind that there were still some offices to which the religious test was strictly applied. To the holder of the crown, to the lord chancellor, and to certain great offices in Ireland. In his mind, the constitution would be much better preserved by limiting the power of holding office to Christians, than by admitting Jews. The time might come when the parliament of England would be called upon to exercise functions still more directly ecclesiastical. He admitted that the present house was, to a certain extent, disqualified for discussing such questions as these. He did not complain of this change; the time might come when the admixture of creeds amongst them would be so strange that it would be an insult to public opinion to think of discharging ecclesiastical functions. In introducing these men, therefore, to parliament, and to other high offices, there existed an absolute tendency to disqualify parliament for the performance of any duties connected with religion, and, by easy transitions, to overturn the very principles on which the constitution of this nation is based.

The honourable gentleman concluded by moving that the bill be read that day six months.

Mr. Pringle seconded the motion. He objected to the principle of the bill, as repugnant to the feelings of christians.

Mr. Macaulay said, that, leaving the question of religious toleration in general, he intended to confine himself to the positions advanced by the honourable gentleman opposite. On the ground that the bill relieving the Jews from all political disabilities would render them at some future time eligible to seats in parliament, it had been said that those disabilities should not be removed. This argument was not a fair one. He had listened to the speech of the honourable

member for Newark, and could discover no arguments which could not with great facility be applied to the members of that house. (*Cheers.*) Who was to decide on points of faith?—to say which was the true religion? He thought it would be inferred that there was a great deal of false religion in that house. The honourable member had mistaken the object of the bill. It was not to admit Jews into the house. The case of our excluding Roman Catholics from the throne, which had been alluded to, was a different one. Mr. Macaulay here compared the treatment of the Jews with that of Roman Catholics and Dissenters, as being much worse, and if carried out, leading to actual and open persecution. He thought their exclusion from civil offices a practical grievance of which they had a just right to complain. The Roman Catholics amounted to 6 or 7,000,000. It was found impossible to resist the determination of disaffected millions. But it was said the Jews were insignificant in point of numbers—that there was no need to fear a revolution in Petticoat-lane. If they were so insignificant a sect, why refuse to remove their disabilities? He apprehended no danger from it. The Jews were not a proselytising people; and he had seen how little influence certain articles of faith had in binding the ingenuity of certain casuists. He should be glad if those of Oxford would instruct the Jews in some of their ingenuity, and then he had no doubt they would make any declaration required of them. (*Cheers.*) He did not believe that, after removing the disabilities from the Roman Catholics and Protestant Dissenters, the house would be guilty of so great an injustice as to refuse the same boon to the portion of her majesty's subjects belonging to the Jewish persuasion.

Mr. Goulburn opposed the bill. He said that Christianity was part of the law of the land, and there were many cases connected with the duty of corporate magistrates, in which a Jew could not consistently enforce the law. He instanced charges of blasphemy, and the obligations connected with the observance of the Lord's day.

Sir R. H. Inglis followed on the same side. Lord Sandon expressed himself in favour of the bill. After a little more discussion the house divided, when there appeared—For the third reading 108; against it 31—Majority 77.

The bill was then read a third time and passed.

In the House of Lords, however, the measure experienced a different fate. The bishop of Llandaff moved its rejection on the third reading, and was supported by the earl of Winchelsea, the earl of Galloway, and the bishop of London, who protested with much energy against the principle involved in the bill, while he expressed a sincere respect for many individual members of the Jewish body. He knew that many of them were men of unbounded liberality, and of indiscriminate charity, and he would not shrink from pronouncing them worthy of imitation by many of their Christian fellowmen. He knew them, too, to be men of honour and veracity; but let it not be concealed from their lordships, that the leading men of the European Jews were not so much influenced by the religion of Moses as by the visionary doctrines of the Talmud, by which

the people were kept in the darkness of ignorance. He believed that the Jews interested in the passing of this measure were few in number, and that the humbler classes cared nothing about it. Indeed, he doubted much whether the more sincere and conscientious Jews would think themselves justified in accepting offices under the present bill. The question was, in fine, as he had stated it—namely, whether they were prepared to break down the constitutional principle of the country, and do away that national homage which had hitherto been paid to the Christian religion.

On the other side, the bill was supported by the marquess of Bute, the earl of Wicklow, and the bishop of St. David's. The latter reverend prelate said, he thought the Christian religion would be in no way endangered by such a measure as this, and he looked on it as a matter of policy, as far as possible, to conciliate the affections of a wealthy and powerful body of individuals towards the land of their birth, to which they might be attached, although they must ever remain to a certain extent foreigners and aliens.

The supporters of the bill also dwelt upon the inconsistency of that state of the law which allowed Jews to serve as sheriffs, and even gave to certain municipal bodies a discretionary power of admitting Jews or not, while in other cases it excluded them by the declaration now sought to be removed. There was, however, little novelty exhibited in the speeches on either side, which embraced nearly the same topics as those already presented by the speakers in the House of Commons.

Upon a division there appeared —For the third reading of the bill 64; for the amendment 98—Majority against the third reading 34. The bill was consequently lost.

The still unsettled controversy respecting the right of patronage in the church of Scotland led to some discussion in parliament and elsewhere, which it will be proper briefly to notice. At an early period of the session, lord Haddington introduced the subject in the house of lords, by inquiring of lord Melbourne whether government entertained any intention of introducing a measure on the subject, to which the prime minister returned an answer in the negative. On a subsequent day, the earl of Dalhousie again brought the subject on the tapis. He observed, that the bill which had been introduced in the preceding session by lord Aberdeen, though it passed a second reading, had ultimately been withdrawn, and that the demands of the clergy had since been carried farther than ever. Instead of asking from parliament for a sanction of the veto on the admission of ministers, they now demanded the abolition of patronage altogether. The extreme party had prepared and brought forward a bond which bore on the face of it the character of a solemn covenant. It was headed, "An engagement in defence of the liberty of the church of Scotland," and by it they engaged in holy covenant to maintain, at all hazards, the principles therein set forth, and on no account to make any surrender or compromise of them. When he saw this feeling, he came to the conclusion, that any measure such as that which was brought forward in the last session of parliament

could be attended with no beneficial result, and that the best course would be, as the demands were so extravagant and monstrous, to leave the law as it at present stood, to see that its provisions were rigorously enforced, and that its authority was vindicated on the heads of those who violated or evaded it. He believed that the extravagant claims made by a part of the clergy were opposed by a large majority of the people of Scotland, who were capable of forming an opinion, that a large majority of the clergy objected to them, and the general body of the Dissenters in Scotland had publicly expressed their disapprobation. He concluded by inquiring of Lord Aberdeen, whether it was his intention to proceed with the bill which he had introduced in the last session.

The earl of Aberdeen was not sorry to have an opportunity afforded him of answering this question. He should avail himself of it to state what course he intended to pursue, and his reasons for it. The subject had lost none of its interest since the last session; it had, however, assumed of late a new feature. It might seem strange, that he should not persevere in a measure which had received the sanction of a majority of the house in the last session, and to which a great portion of the clergy and people of Scotland had responded favourably. Nevertheless, he could not forget that her majesty's government had declined to interfere with it. Lord Melbourne had abstained from expressing any opinion about the subject, but the lord chancellor strongly objected to the bill, considering it a violation of the rights of patronage. The General Assembly also objected to it; they viewed it as incompatible with the interests of the church, and as rivetting still more closely the rights of patronage; nay, they spoke of it as an attempt to dethrone the Redeemer from his seat. He hoped his bill was justly liable to neither of these objections; but different as they were when they came to be united in practical opposition to the measure, and when that opposition was aided virtually by her majesty's government and the dominant party in the Assembly, he was satisfied that the beneficial effects which he had expected from his bill would be defeated. He had an additional reason for not pressing his measure this session. He could not now help believing, that the total abolition of patronage was the real object at which the petitioners for non-intrusion aimed; the measure which he had introduced was certainly not calculated to satisfy them on that head, and therefore it would be useless to revive it. He did not object to the course pursued by the government, of abstaining from any interference with the subject. Such non-interference, however, ought to be *bonâ fide* and sincere. Now he did not for a moment question the honesty and sincerity of the noble viscount (Melbourne), but care should be taken that all the other members of government should speak and act in harmony with him. The principal law-officer of the government in Scotland was looked upon, erroneously or not, as the principal supporter of the extreme party. Now the lord Advocate was regarded in Scotland as a much more important personage than the noble viscount himself; he was in fact the government. A declaration in that

house, unaccompanied by uniformity of conduct in the other members of the government, would not produce the effect which was desired. He was aware that reports had been industriously circulated by the dominant party in the assembly, that he entertained intentions of introducing a much stricter and more coercive measure than his former one on this subject. He had no such intention, and this they very well knew, but as the rumour would afford a pretext for a little declamation and abuse, they did not scruple to resort to it. Persecution was the object of the dominant party, and cruelly had they persecuted their brethren for no act but their obedience to the law of the land. But the law, if temperately and steadily administered, would be too strong for these reverend agitators. The subject here dropped.

A few days afterwards, the duke of Argyle announced to the house, that if no other noble lord undertook the task, he should feel it to be his duty to introduce a measure with reference to the right of patronage in the church of Scotland. Lord Aberdeen said, he should certainly pay the utmost attention to any bill which the noble duke might introduce on the subject. At the same time, he could not help thinking that the noble duke, who had supported his (lord Aberdeen's) measure of last session, was not aware of the difficulties which he would now have to encounter in legislating. He had himself repeatedly, last year, expressed his opinion that the dominant party in the church of Scotland were not aiming at the total abolition of the right of patronage. This opinion he had expressed, fully believing the declarations that were made to him on the subject. But now, when he saw the same parties who had last year limited their prayer to the point of non-intrusion, adopting by large majorities, petitions praying for the total abolition of patronage, he could not help thinking that a great change had taken place in their views. There was not a petition presented to the house in the present session, that did not pray for the total abolition of patronage. Lord Aberdeen then referred to some proceedings which had taken place at public meetings and meetings of presbyteries, in which an active part had been taken in favour of the total abolition of patronage by some of those very persons whom the duke of Argyle had referred to as his authorities for the moderation of the non-intrusionists. He sincerely hoped that the noble duke might prove to be more right than himself in his estimate of what their wishes really were, and if so, would gladly render him every assistance in his power.

On the 1st of May, the duke of Argyle presented his promised bill to the house. In the able speech in which he introduced it, the noble duke, after referring to the history of the various acts of the legislature affecting the right of patronage in the church of Scotland, proceeded to read some letters from some of the most influential leaders of the dominant party in the church, with the view of showing that the total abolition of patronage, as by law established, was not the means by which this party desired to see the existing differences settled. Two of these were written by Dr. Gordon and Dr. Chalmers, and repudiated on behalf

of themselves and of the General Assembly, the imputed desire for the abolition of patronage, stating that the great object of the church, which she could not abandon, was only to prevent the intrusion of ministers on reclaiming congregations, and the interference of the civil courts in matters spiritual. Another letter was from Mr. Candlish which, while it expressed the adherence of the writer, on principle, to anti-patronage views, professed his willingness for the sake of the peace and security of the church to acquiesce in a measure for a settlement of the question upon the more moderate and limited basis. The noble duke then explained, that the object of the bill he now proposed was to give effect to the principle of non-intrusion on the right of the congregation to give their approval or dissent, to the appointment of any presentee that might be offered them by the patron. He said he felt convinced that unless some measure to this effect were passed, the most lamentable consequences to the church of Scotland would ensue, and there could be no doubt that a secession of a large number of the members of the church would take place, while if the principle of non-intrusion were conceded, the surest means would be taken to put an end to the agitation of those who were opposed to patronage altogether. The noble duke concluded by an earnest appeal to their lordships, on the urgent importance of the subject, and having moved the first reading of the bill, said he should wait to move the second reading until the meeting of the General Assembly had taken place.

Lord Aberdeen said, that the object of the noble duke's bill was neither more nor less than to legalize the veto, and that under circumstances more objectionable than its original language. It provided that if a majority of the male heads of families in a parish should go before the presbytery and state their objections to the "call," the presbytery should be compelled to reject the presentee, although no reason for the objection had been stated. He (lord Aberdeen) wished to give full expression to the genuine and honest feelings and wishes of the people in these matters, but he could not give his support to a measure which might lead to the monstrous consequence of compelling the presbytery to reject a presentee, though he were objected to for no other reason than because he had been presented, or because he had been compelled to take the oath of allegiance. Such concessions, if made, would never be satisfactory or final, and the agitation which had been carried on did not give the parties who claimed this concession a title to any such favour.

Lord Dunfermline would oppose the measure, which, he believed, contained the seeds of future agitation. He had all his life been an advocate of liberal measures, and in resisting this bill, he conceived he was promoting the cause of toleration, peace, and religious liberty.

The Marquess of Breadalbane expressed his intention to support, and the earl of Haddington to oppose, the bill, which was then read a first time.

On the 27th May, the meeting of the General Assembly of the Church of Scotland took place, and the case of the seven clergymen of the presbytery of Strathbogie un-

der libel of the church courts came under consideration. The particulars of this case, which has excited so much interest, may be stated in a few words. Their alleged offence consisted in having set at nought the provisions of a law passed by the church of Scotland, in 1834, and commonly known as the Veto Act. A Mr. Edwards had been presented by the lawful patron of the parish of Marnoch, but a majority of the male heads of families having exercised their veto against the presentee, the seven ministers, members of the presbytery of Strathbogie, refused to admit him. Thus rejected, Mr. Edwards had recourse to the civil tribunal and succeeded in obtaining a decree of the supreme civil court against the recusant presbytery. Placed in this dilemma between the conflicting forces of civil and ecclesiastical jurisdiction, each of which respectively denied the competency of the other, the seven Strathbogie ministers took that course which they considered the more imperative duty, yielded obedience to the law of the land, and admitted the presentee. For this offence they were now placed at the bar of the General Assembly, and their counsel addressed the court in their defence. When he had concluded, Dr. Chalmers rose, and in a speech of great length moved the deposition of the above seven persons from the holy ministry. He denied that the assembly could take any other course, after the past conduct of the Strathbogie presbytery, and said that no subsequent arrangement of the existing difference between the church and the government could have any influence upon their present decision. He dwelt upon the distinction between two things which, he said, had been much confounded, viz. the church's principle of non-intrusion in the disposal of her preferment, and her right of jurisdiction in matters purely ecclesiastical. The present question belonged to the latter category—being simply an exercise of the church's judicial authority on her refractory members. He deprecated the mode by which the state was endeavouring to carry on the contest by a war of interdicts and processes. "Better than this surely that the legislature should let us know, from their own mouth, what their understanding is of our footing as a national church; or, which is the same thing, on what terms they are willing to continue with us the endowments and privileges of an establishment, and then shall we as distinctly understand whether, on the principles of a Christian church we can accept or should decline these terms. This is the fair, honest, aboveboard, and, let me add, gentlemanly style of proceeding, and far more creditable, surely, than this attempt to bear us down, by letting loose upon the church the agents and executioners of law. Were it an ordinary question of common or statute law I could understand it; but it is the far higher question of jurisdiction which has arisen — a question which should only be settled on the higher arena of parliament, instead of being suspended on the issue of a combat between the co-ordinate courts to fight and fulminate against each other—they with an apparatus of pains and penalties which are formidable to nature—we, with nothing at command but those spiritual excommunications, against which nature

lifts her stout and contemptuous defiance. There is only one right way of cutting short this perplexity. There must, on our part, be resolute principle and resolute endurance in the meantime, and then we shall know what to do when once the legislature has spoken,—whether, on the one hand, they shall keep it possible for conscientious men to work their endowed institute; or, on the other, they shall charm the hearts of Radicals and Voluntaries, by letting the world know that any national establishment of theirs implies an utter prostration of the ecclesiastical to the secular power." He then enlarged on the enormity of the offence committed by the suspended parties against the rights and authority of the church, and the impossibility of any compromise on such a question of principle. "The church of Scotland," he said, "can never give way, and will sooner give up her existence as a national establishment than give up her powers as a self-acting and self-regulating body, to do what in her judgment is best for the honour of the Redeemer, and the interest of his kingdom upon earth. We can see no other alternative. If these men do not humble themselves, their deposition is inevitable. The church of Scotland cannot tolerate, and, what is more, it could not survive, the scandal of quietly putting up with a delinquency so enormous as that into which these brethren have fallen."

Dr. Cook, on the opposite side, in an elaborate speech, proposed a counter-motion, to dismiss the ministers at the bar, and confirm them in their present rank of ministers of the church of Scotland.

After a long debate the vote was agreed to, when there appeared, for Dr. Chalmers' motion 222; for Dr. Cook's motion 125—majority for the deposition of the seven ministers 97.

After passing this sentence, the Assembly proceeded to declare the parishes vacant, and they also sentenced Mr. Edwards to be deprived of his license as a minister of the church. Thus ejected from their benefices by the decree of the General Assembly, the seven ministers appealed to parliament. A petition from them was presented on the 15th of June, by lord Aberdeen in the house of lords, in which they called upon the house to save them, by its interference, from the consequences of the sentence which had been pronounced.

Lord Aberdeen said, that these men had been deposed, simply because they had obeyed the law; and although lord Melbourne had promised to uphold the law, the enormous expense of asserting their rights brought ruin upon individuals, even if in the end those rights should be established. The question had become a public one, and he agreed with the petitioners, that the government was bound to come forward and protect them.

Lord Melbourne, although he deeply regretted the state of the Scotch church, and especially the circumstances of the petitioners, defended the conduct of government in abstaining from all legislation on the subject. It would have been an interference with the internal affairs of the church, and the consequences would have been most injurious. Lord Aberdeen had said that the church of Rome never carried its presumption farther than the church of Scotland had done on this occasion, "but the

church of Scotland," said lord Melbourne, "was equal to the church of Rome at any day, of which many instances could be produced from history." (*Laughter.*) The question, however, at issue was a most difficult one, but it was the wish of the government to enforce the law, and he had no doubt that the lord advocate had done, and would do, all that his duty required of him.

Lord Haddington remarked upon the studious evasion of any opinion by lord Melbourne. He had confined himself to a simple expression of sympathy with the petitioners, and beyond this he had said nothing, as he had done nothing. He had spoken of enforcing the law, but it was plain that his idea of enforcing the law was to abstain from interference. In consequence of his constant vacillation it was, that matters had assumed so formidable a character, and even now, when the General Assembly had gone the length of appointing a roving commission to resist the law whenever it thought there was a fit opportunity, they had no assurance that the lord advocate would interfere.

Lord Normanby defended the lord advocate; and lord Breadalbane and the duke of Argyle deprecated any interference, until the courts of law had come to a decision on the whole merits of the question.

Lord Brougham could not imagine any course more directly calculated to encourage the law-breakers in Scotland in their resistance to the constituted authorities than that the case should be allowed to rest in the hands of the government. He could not conceive anything less satisfactory to those who wished to see the law respected. A declaratory measure was in no way called for. The question had been decided by the Court of Session, and their decision had been affirmed by their lordships as a Court of Appeal in the last resort: it had been declared and acted upon by the proper legal authorities, and nothing remained but that it should be put in force.

Lord Melbourne contended, that the government had executed, and would execute, the law. The best way to do so, was to leave the law to execute itself.

Lord Brougham replied, that the intentions expressed by the government and the tendency of their actions, were precisely contrary. They professed a desire to execute the law, but both their speeches and their conduct tended only to encourage those who violated it. If they were really desirous of acting up to their professions, they should give directions to the agents and law officers of the crown in Scotland to relieve those who were oppressed by wrong-doers from the costs and risk of resisting oppression. The petition was laid on the table.

About the same time at which this discussion took place in the House of Lords, large and influential meetings were held at Edinburgh, at Glasgow, and at other places, at which strong resolutions were passed, reprobating the proceedings of the Assembly and sympathising with the situation of the deposed ministers. On the other hand, the non-intrusion party were not backward in appealing to the popular sympathy in behalf of their cause. Deputations of the leading champions of those principles were sent about to convene meetings, and rouse public feeling in support of the menaced liberties of the

kirk. The language which was employed for this purpose was, certainly, in some instances, of no measured character. One sample may suffice, from the fervid oration of a delegate of the non-intrusion party sent into the North of Ireland, who thus addressed a meeting held in a presbyterian church at Belfast.

"Our opponents, in their headlong advocacy of the civil law, assert that, even though all the people of a parish should protest, we must ordain; that, though not a solitary communicant should attend the church, we must ordain; that, though the bayonets should bristle in the churchyard, we must ordain; that, though the carbines of the cavalry should be discharged among our assembled people, we must ordain; that, though the dragoons should cut their way to the church through Scottish hearts, we must ordain. This is what our enemies say. And what is my reply? It is this — Before my God, before my church, before the people, and before the world, I never will ordain. (*Vehement cheering.*) * * * *

"I have stood in a wild castle, on the sea-shore of my native district, in the dungeons of which the martyrs of the faith lay till they rotted—where they heard no sound save the howling of the winds, and the roar of the billows of the German ocean. I have descended into those dark cells, and placed my fingers in the walls where they were confined. Chains were scarce in those times—they were in urgent demand; and, instead of fettering the captives, they tied their arms above their heads, and, forcing their thumbs into two holes in the wall, wedged them fast with pieces of wood, crushing them till the blood and marrow oozed out. I have stood, my friends, in those places of horrible recollection: but, sooner should these hands be crushed by those revolting processes of cruelty, than they should be placed on the head of an Edwards." (*Great applause.*)

Among the topics of discussion in the House of Lords, in the early part of the session, was one which arose upon the subject of an ordinance of lord Sydenham as governor of the Canadas, whereby the Roman Catholic seminary of St. Sulpice, in Lower Canada, was incorporated, and the seignory of the island of Montreal confirmed to that institution. A petition was presented to the house, by the bishop of Exeter, against this ordinance, signed by all the protestant clergy of Montreal, by eighteen out of the twenty-four magistrates, by two members of the Special Council, and by the solicitor-general of Lower Canada.

The bishop, in a speech which occupied two hours and a half in the delivery, contended that the ordinance was illegal and unconstitutional, transferring property, which legally belonged to the crown, to a Roman Catholic institution, and thus giving an encouragement to popery which had never before been ventured upon. The bishop said, he regarded this as one of the recent encroachments of Rome. Bigot they might think him, but he believed there never was a time when such gigantic strides were made by Rome to regain her lost power, nor a time when they were met by such utter indifference on the part of the executive government of a protestant country. He wished he could fairly say with indif-

ference — he should rather say, with fondness and partiality. The people of Montreal, he said, looked on the ordinance as a violation of good faith towards those who had held the Lower Province at the risk of their lives.

Lord Melbourne contended that the rights of the seminary of St. Sulpice to the estates, were confirmed by a possession of seventy years, and by many acts by which their claims were recognised. If this did not constitute a right, and supersede all previous claims, there was nothing fixed or stable amongst mankind. The bishop had charged the government with a deliberate intention to favour the advancement of the church of Rome. Viscount Melbourne said he could only deny that such was the fact. He did not deny that that church showed a disposition to make rapid strides. But was this the case with no other church? Had the presbyterian church of Scotland or the protestant church of England shown no signs of the spirit of domination? If the right reverend prelate had generalised his statement a little more, there would not be much difference of opinion between them. He trusted their lordships would look at the ordinance as an attempt to secure a fair settlement of an important question without disturbing the tranquillity of the Canadian provinces.

The duke of Wellington contended, that whatever the equitable title of the seminary might be, it was not a legal body, nor had it in fact any legal title. In order to give this title the corporation had been created: which deprived the crown of its legal claims to the estates. He regarded the ordinance as involving a total departure from the principles of the Reformation, which had been maintained in Canada ever since its acquisition. He denied the right to transfer the property by ordinances. It had been formally made over to the assembly of Canada by the Act of Union, and the British government had no right to dispose of it under an ordinance, which was in other respects unconstitutional. The noble duke referred to his opinion formerly expressed, that the measure for the union of the two provinces had been premature—he did not now press that opinion, but he entreated their lordships to give their best consideration during the interval which would elapse before this question came again before the house, to a subject which involved some of the most important principles, especially with reference to the religious institutions of the country, that ever came under the notice of the legislature.

Some days afterwards the bishop of Exeter renewed his opposition by a motion for an address to the crown, to withhold the royal sanction from the ordinance of lord Sydenham. He contended again at great length, that it was illegal, unconstitutional, without precedent, and unjust towards the province which it affected. The amount of the property in question, he stated at about 30,000*l.* per annum., which, in a country where there was no provision for the poor, would enable the Roman Catholic ecclesiastics to plant the standard of their church triumphantly throughout the province. He argued that when Canada was ceded to the British, the rights which the French king then possessed, devolved, by the right of conquest, to the English crown.

As the seminary had been endowed by the deed of Louis 14th, for propagating the established religion of France among the Indians, so, by the right of conquest, the sovereign of Great Britain acquired the right of applying the funds of the seminary, towards the established religion of his own kingdom. Not that he (the bishop of Exeter) asserted that it was the bounden duty of the crown of England to seize the whole funds to protestant purposes: a portion of the property might have been reasonably conceded to the original purposes of the seminary, but, at least, a portion should have been appropriated in the exercise of the crown's unquestionable right, to the religious instruction of protestants. The crown, however, had no longer the disposal of this property: for its claim had been surrendered, along with other crown rights, to the legislature of the United Province in consideration of the civil list. The ordinance, he contended, clearly amounted to a violation of the Act of Supremacy. The incorporation of the seminary of St. Nicolet, during the colonial administration of lord Bathurst, in the reign of George the 4th, formed no precedent for this, being distinguished by the circumstance that St. Nicolet was a lay incorporation, whereas the present, being an incorporation for strictly ecclesiastical purposes, which was the true distinction in law, was an ecclesiastical corporation; and he denied the right to incorporate a popish institution of that nature, *salvâ republicâ*, in this country, or in any of its dependencies. To pass this measure, would be to commit a great national crime, in fact, to papalise whole provinces in defiance of the fundamental laws of the land.

The marquess of Normanby said, that the bishop of Exeter had all along assumed, in respect to this ordinance, that it was a mere whim of lord Sydenham's. Why, one of the very reasons for which lord Sydenham had asked an extension of the powers of the Special Council was, that it could not render permanent an ordinance which was introduced under sir John Colbourne's government, to give effect to the arrangement that had been made with the seminary of St. Sulpice. The seminary surrendered a considerable part of its property, in order that it might enjoy the advantages held out by the ordinance. There had been a bargain which had been fulfilled on one side. The value of the property granted to the corporation had been extremely exaggerated; it did not exceed 260,000*l.* currency at the very utmost. Lord Normanby then proceeded to prove, that the rights of ecclesiastical seignories had been confirmed and recognised at the capitulation in 1759, by the treaty of Paris, which left the priests of St. Sulpice in the enjoyment of the same privileges with those of the sister institution at Paris: by the Act of 1774, which was passed without any opposition from the bishops in the House of Lords, while in the House of Commons it was expressly denounced by col. Barré, because it made the Roman Catholic the established religion of the province: and in 1792, Mr. Burke spoke of his having voted for "an establishment of the church of England conjointly with an establishment made some years ago by Act of Parliament, of the Roman Catholics in the French conquered

country of Canada." Lord Normanby maintained, that the seminary of St. Nicolet, incorporated under instructions from lord Bathurst, was a valid precedent for this ordinance. That corporation consisted entirely of ecclesiastics; and if its objects were partly educational, so were those of St. Sulpice. This ordinance made strict provision for the visitation of the corporation, and an account of its expenditure, as well as its rules and regulations, were to be submitted to the Governor for the time being. In conclusion, he reminded the house that this seminary existed on the faith of the assurances given by all governments from the date of the act of 1744 to the present time.

The earl of Ripon said, he was at a loss to guess the grounds on which they were called upon to disallow the ordinance by which they would seriously endanger the peace and harmony of Canada. When he went to the Colonial Office, he found the seminary in peaceable possession of all the advantages which were to be confirmed by this ordinance.

The duke of Wellington said, that he was satisfied that no one could dispute the equitable title of the seminary of St. Sulpice to a part of this property. He had indeed been disposed to think that the bulk of it had been made over by the Act of Union to the provinces; but when he expressed his opinion to that effect, he had not been aware of many former transactions relating to the seminary, to some of which he had been himself a party, but which he had since forgotten. Until he saw the papers now on the table of the house, he had not the least notion that the ordinance in question was but a copy of former transactions. He could see no distinction between the present incorporation of St. Sulpice and that of St. Nicolet, which took place when he was himself in the Cabinet. He had also been a party to the despatch of lord Aberdeen in 1835, to which no man who had been a concurrent party could consistently object, on account of religious principles, to this ordinance. He therefore could not now stand upon the grounds which he had taken on the former night in opposition to this ordinance. He had then entreated the house to look into the documents referred to by the bishop of Exeter; he had himself done so, and he had in addition looked into some other documents which ought likewise to have been referred to, and the conclusion to which he had arrived was a resolution to vote against the present motion.

After this frank and characteristic speech of the duke of Wellington, the bishop of Exeter withdrew his motion.

A motion was made on the 2nd March by Mr. Colquhoun, for leave to bring in a bill to amend the Acts of 35 Geo. 3rd, c. 21, and 40 Geo. 3rd. c. 85, of the Irish parliament, relating to the college of Maynooth. By the first of these Acts a body of trustees were appointed, a majority of whom were to be laymen, composed partly of protestants. They had the appointment of the professors, and they drew up the rules of the college. By the same Act a number of persons, comprising the principal functionaries of the realm, the chancellor and judges of Ireland, were constituted visiters of the college, and the Lord-lieutenant was directed to receive the reports made

by them. But by the subsequent Act, the 40 Geo. 3rd. c. 85, the objects contemplated by Mr. Pitt, which had in view, first, a control by the laity over the college, and secondly, a control on the part of the government, were unhappily frustrated. The latter Act reversed the whole arrangement, deprived the government of all control, turned the visitation into a complete farce, and consigned an unlimited power to the trustees, of whom, under this Act, four-fifths were Roman Catholic ecclesiastics, with the right of filling up their number when vacancies arose. He thought that the time had now arrived, when the sentiments expressed out of doors with reference to the college of Maynooth, should find an echo within those walls, and when the sanction hitherto given to that college by the legislature should be finally withdrawn. He was sure that no man would for a moment say, that Mr. Pitt and lord Castlereagh would have lent themselves to the establishment of such a system, if they could have foreseen such results as the present generation had witnessed. The writers whose works were the class-books at Maynooth, taught doctrines the most opposed to loyalty towards the crown, to the peace of the state, and to religious freedom. Mr. Colquhoun then cited passages from the writings of some of these authors, which went to dissolve the duty of allegiance towards the sovereign, and to sever all social bonds between members of the church and heretics. Would it be said, that though these books were read, the doctrines they contained were not inculcated? There could be no doubt that the priesthood educated at Maynooth imbibed the doctrines which they contained. Mr. Colquhoun referred to the evidence given by Mr. O'Connell in 1835, to that of Mr. Dennis Brown, and to the work of Mr. Inglis the traveller, in illustration of the character of the Maynooth priests. He referred also to the evidence given before the committee in 1835, with respect to the system of intimidation exercised by the Roman Catholic priesthood at elections, and which, he contended, afforded a practical illustration of the doctrines which they taught. In no other country in Europe were the priests allowed to denounce men from the altar, and hold them up to execration, but the priests of Maynooth made the altars of their churches an instrument for destroying the liberties of free subjects. He repeated, that such practices were the result of the doctrines inculcated in those standard works of theology which were in use at Maynooth. Such a system parliament ought not to sanction, and by repealing the Acts which now connected Maynooth with the state, they ought to withdraw from the college all legislative countenance. That being done, it would be for the house then to say whether it would grant the public money for the support of such a system. All he now asked for, was permission to bring in a bill to alter and amend the Acts before referred to, and thereby to dissever the college of Maynooth from the state.

Lord Morpeth said, he could not see the distinction attempted to be drawn between the Acts of 1795 and 1800, as if the latter had broken the compact entered into between the Roman Catholic body in Ireland and the state. Mr. Pitt was in office when the latter Act

passed; he accepted that Act, and adopted it as part of the compact entered into at the Union. Mr. Colquhoun had stated that, in other European states, the civil power had imposed restrictions upon the Roman Catholic clergy with respect to the inculcation of certain doctrines, but in those countries where the state controlled the clergy, it also supported them; and before the honourable member attempted to impose conditions on their teaching here, he ought, instead of seeking to reduce the miserable stipend bestowed on them by the state, to propose some more adequate means for maintaining them. As to the extracts from writers whose works were read at the college, he believed that they were read there in the time of Mr. Pitt; at all events in the time of Mr. Perceval, who had supported the grant. It might be that those works contained many things which neither he (Viscount Morpeth) nor Mr. Colquhoun would approve, but this proved nothing, for it was certain that the object which Mr. Pitt had in view in establishing the seminary was the education, in their own country, of Roman Catholic ecclesiastics; and, therefore, unless it were proved that doctrines were taught, or practices inculcated at variance with the recognised principles of the Romish church, no case was established for the interference of parliament. No such charge, however, had been made against the college of Maynooth. The noble viscount then, for the purpose, as he said, of illustrating his argument, referred to the Tracts recently published at Oxford, respecting which he read a long extract from a theological Review, in which those publications were strongly reprobated, as being of decidedly popish tendency, and subversive of the principles of the Reformation. With respect to the conduct of the Roman Catholic priesthood in Ireland, though he agreed with Mr. Colquhoun in disapproving of the practice of holding men up to execration at the altar for political objects, yet when he looked at the general fruits of their teaching in the conduct of the Irish people, whose men exhibited more sobriety, their females more chastity, and both more patience under suffering, than any other portion of the inhabitants of these islands, he could not join in the indiscriminate censures pronounced upon them. He thought it desirable that the house should see the intentions of the opposite party towards Ireland developed, and therefore recommended that Mr. Colquhoun should be allowed to introduce his Bill, that they might see what it contained.

Sir R. H. Inglis could not suffer the allusion made by the noble viscount to the university which he represented, and which so grossly and grievously misrepresented it, to pass unnoticed. The noble viscount had attacked the university of Oxford, on the score of certain tracts published, not *by* but *in* the university. The university, as a body, was not responsible for those publications—the freedom of the press existed there as well as elsewhere; the only question was, were they class-books at Oxford? This was the real point of comparison, as to the books used at Maynooth. Did any member of the university lecture upon those tracts? Did any professor put them into the hands of any pupil? He did not agree with all that had been stated by Mr. Colquhoun; he had always opposed the grant to

Maynooth on distinct grounds. Believing the doctrines of the Romish church to be unscriptural, he could never consent to aid in any course of instruction for his fellow-creatures therein.

Mr. M. J. O'Connell said, he was perfectly indifferent, and so he believed were most Roman Catholics, to the continuance of the grant of 8,000*l.* a-year to Maynooth, which, if withdrawn, would soon be made up by voluntary subscription. But if anything was to be done, he hoped it would not be done indirectly, but on the principle avowed by Sir R. H. Inglis, that they were not to pay for that which they did not believe to be truth; and let this principle be applied and carried out by the people of Ireland. He then referred to a passage in a recent article in the Quarterly Review, entitled "Romanism in Ireland," the object of which seemed to be mysteriously to insinuate the existence of an extensive and revolting conspiracy in Ireland. The statements made in this article Mr. M. J. O'Connell entered into at some length, with the view of showing that they were destitute of foundation. He concluded by vindicating the character of the Irish priesthood, as challenging comparison with the clergy of any church. whether paid by the state or otherwise.

Mr. Langdale explained the distinction which existed in the Roman Catholic church between the duties of temporal and spiritual allegiance.

Mr. O'Connell commenced his speech by stating, in the most distinct and emphatic manner, that he believed in every word that was taught at Maynooth, but he disavowed the doctrines that had been imputed to the Roman Catholics that night, and which had been disowned and disavowed over and over again. They had been told that night of the disregard of the Roman Catholics for oaths. Had the assertion been made anywhere but in that house, he would have said that it was "as false as hell." Mr. O'Connell then entered into a variety of theological arguments, and declared that all difference between the Cisalpine and Ultra-Montane schools was at an end; and that all Roman Catholics now recognised in its fullest extent, the spiritual authority of the pope. The consequence was, that their religion was extending in every country in the world, while there was no country in which that could be said of Protestantism. He maintained that the Irish priesthood had a perfect right to interfere in elections, and to speak from their altars in condemnation of perjury and bribery. Further than that no priest had gone, and he defied any one to prove the contrary. In conclusion he said, he had been compelled by the turn which the discussion had taken to look at the question more than he could have wished in a polemical point of view, but polemics having been introduced by others, he felt that, standing in the presence of that God before whom he might so soon appear, he could not afford to give up one tittle of the faith which was his consolation and hope, and which, while he had breath, he would never cease to uphold and maintain; a faith which had been the faith of some of the greatest names in history; a faith which, in his firm belief, was fated to endure for all time; a faith which, to use the eloquent words of a recent publication,

"would be found standing when some traveller from New Zealand shall take his stand in the midst of a vast solitude on the broken arches of London bridge, to sketch the ruins of St. Paul's."

He cordially supported the motion for leave to bring in the bill, though he did not believe the honourable gentlemen ever would bring it in.

The motion was agreed to.

On a subsequent day, Mr. Colquhoun brought in his bill, which was read a first time, but was not further proceeded with this session.

The subject of church-rates twice underwent discussion in the House of Commons in the course of the session. One of these occasions was on a motion made by Mr. Easthope, with reference to the case of a person named Baines, who was at that time imprisoned in Leicester gaol for non-payment of a church-rate of 2*l.* 10*s.* and costs, in the ecclesiastical court. Mr. Easthope's notice of motion was simply "that the petition of William Baines be taken into consideration," the House was therefore somewhat taken by surprise when he moved a resolution to the effect that Mr. Baines' imprisonment being inflicted for his refusal to pay a demand which was contrary to his conscience, was a violation of the principles of religious liberty. A debate of some length took place, in which lord John Russell and sir Robert Peel concurred in objecting to acknowledge the principle that the enforcement of obedience to an existing law is a violation of conscience. The only true principle, said sir Robert Peel, is this—that while the law exists it must be obeyed. Mr. Hume and Mr. Hawes supported the motion, and pressed the government to declare their intention of doing away with church-rates. On a division, the numbers were, ayes 40;—noes 45;—majority against Mr. Easthope's resolution 5. Doubtless if the nature of the motion intended to be brought forward had been made known beforehand, a much larger number of members would have been present.

Mr. Easthope subsequently brought forward a motion for leave to bring in a bill for the abolition of church-rates. After urging the usual arguments against the existing state of things—the heart-burning and discord produced by the contentions between Churchmen and Dissenters on this subject, and the scandal and injury thence resulting to the established church and the cause of religion, he explained the substitute which he intended to propose. He would abolish church-rates, and empower the members of the establishment to rate themselves in respect of pews and seats, for the repair and support of the buildings in which their worship was conducted. He was aware that there was another subject of some difficulty in connexion with this question in respect to churches built by funds derived from mortgage. Nobody could be so wild as to wish to violate the faith of Parliament, and this point might be a fit matter for consideration by a committee. Of course, where individuals had advanced money on the faith of acts of Parliament, it would be impossible to interfere with their rights, or to apply the proposed law until the money had been repaid.

Viscount Morpeth, on the part of the government said, he should raise no objection to the introduction of the bill. He was perfectly

alive to the evils of the present system and its practical results, but he would not consent to leave the maintenance of the parish church as a mere matter of choice and option; and Mr. Easthope's bill provided no substitute for the deficiency which might arise from the total abolition of church-rates. He should not therefore pledge himself to its provisions, but he felt bound to take into consideration every proposition for the settlement of the question.

Sir R. H. Inglis said, the provision proposed as a substitute for church-rates was as vain and illusory as the worst enemies of the church could desire. He censured the government for assenting to the introduction of a bill which could never reach a second reading, and intimated a belief that this assent was given with a view to the present political crisis. To show that the popular representations on the subject were very much exaggerated, he said that he found out of 13,000 parishes in the country, but fourteen, in which there were any law-suits about church-rates. Until the law of the question had been definitively settled, he thought it unadvisable that Parliament should interfere.

Mr. Goulburn would not oppose the introduction of the bill; though he would not sanction its provisions, which went to impose taxation upon all who went regularly to church. Mr. Plumtre likewise said he would not oppose the first reading.

Dr. Lushington pronounced it impossible that the law could continue in its present state. Whatever the issue of the Braintree case might be, he agreed with the chief justice of the Common Pleas, that church-rates were at this moment a legal tax, and that they could be by law enforced. They were established at a time when the whole population of the country belonged to the established church, and were retained at the Reformation. The Dissenters now considered this state of things a hardship, and in this feeling many Churchmen participated; and their grievances ought to be redressed. After some further debate, leave was given to bring in the bill. In consequence however of the abrupt termination of the session no further proceeding on the subject took place.

A motion was made just before Easter, by Mr. Ewart, for an address to the crown, praying for the appointment of a Minister of Education. He wished that such minister should be a member of the House of Commons, and should annually lay before it a statement of the condition and prospects of the education of the people. A minister of public instruction was to be found in almost every foreign kingdom, who regularly made such reports to the Crown. A practice which he would adopt with only this alteration, that the reports should be made to the representatives of the people. Such a minister aught to mix and associate with the educational institutions of the country, but by no means to control them. He regretted the niggardliness of the grant now made by the state for education, amounting only to 30,000*l.* a year, and called on the House to be more liberal. There would be much valuable information furnished by the new municipalities and by the Factory Inspectors to the proposed minister. Through the same channel also might be conveniently transmitted the reports of the Inspectors of Prisons, and it might

be the means of conveying likewise much valuable information relative to schools of art and design. This country did not, like most of the continental states, present in its various districts, public libraries for the use of all classes of the people; but it would be one of the objects of such an appointment as he proposed, to provide greater facilities of information, and the minister to be appointed, would usefully communicate with foreign countries upon the general subjects of instruction. Of all schools the most important were normal ones—those which educated schoolmasters. But the whole people required a provision for their instruction; a great proportion of them in the rural districts, being in a state, as he believed, of benighted and besotted ignorance. He would have a yearly exposition of the state and progress of education, like the budget of finance.

Mr. Smith O'Brien seconded the motion. He referred to statistical documents to show, that crime chiefly abounded where education had been most scanty.

Sir George Grey on the part of the government, opposed the motion, not because he objected to its principle, but on account of the difficulties attendant on its execution. He did not think it expedient to revive those differences on the subject of education which were now dormant. Soon after Easter there would be laid before the House from the education committee of the privy council, information which would go far to fulfil, for this year, the object of the motion; and he hoped that in a house thinned by the near approach of the holydays, the mover would not press a division, of which the component numbers could not be such as to afford a fair indication of the general opinion.

Mr. Ewart acceded, and the motion was withdrawn. Some remarks which fell from sir Robert Peel on another occasion deserve to be recorded, in connection with the subject of popular education. An address which he had published to a literary association, established at Tamworth, had been made the subject of severe comment in some anonymous letters published in the *Times* newspaper, under the signature of "Catholicus;" in which the views propounded by sir Robert Peel on the subject of intellectual cultivation were represented as savouring too much of that utilitarian spirit which trusted rather to scientific instruction than to religious training, for the improvement and elevation of the working classes. Sir Robert Peel took occasion of a motion made by Mr. Gillon for an address to the crown praying that some assistance might be afforded to educational and scientific institutions for the working classes in large towns, to vindicate himself from the charges which his Tamworth address had called forth, and to avow his sentiments on the subject of popular improvement.

"It might be very well to talk of leaving large classes of the people in the practice of sensual gratification, and of low and degrading enjoyments; but they were not to be charged with encouraging infidelity and irreligion, who would supply a taste for rational amusements. For his firm belief was, that they would be encouraging, not merely morality, but the Christian religion, by attempting to rescue the workingman from the contamination of low n debasing habits, by convincing the working-classes that the paths

of science are not forbidden ground to be trod exclusively by the rich, and by showing them that these were not enjoyments which it was permitted for the wealthy alone to taste. Compare the evils of leaving these working-men, as they now are, under the influence of low and degrading views, without the means of gaining improvement, and the evils of giving them access to good works—compare the evils of the two systems, and let any one decide between them. The one gave them the means of improvement in the arts and in science; the other, instead, left them open to all the degrading influences which he had described. He had been a subscriber to the institution which he had mentioned twenty years ago, and his opinions had therefore been perfectly consistent."

Sir Robert Peel pointed out the inconsistency of giving children of twelve or thirteen years of age just so much education, according to the present system, as enabled them to decipher books of the worst description, and then withholding access to good books—

"The question was not whether they could be by law prevented from using bad books, for that was impossible; but if they were afforded the facility of access to good books, there was that on the part of human nature to raise a preference to good over bad, which would make this facility a direct encouragement to the adoption of what was good."

These sentiments were received with marked applause by the House.

A further mitigation of the Criminal Code was the only one of the measures introduced for the amelioration of the law, which took effect this session. Two bills were introduced for this purpose in the House of Commons—the first in order by Mr. F. Kelly, who had unsuccessfully endeavoured to carry a similar measure in the preceding year. He proposed in this bill, to abolish the punishment of death for all the crimes still capital, except murder and treason. His bill of the preceding year, he said, had passed through all its stages by considerable majorities, until the third reading, when it was rejected in a comparatively thin House. The object of the present measure was co-extensive.

The motion was seconded by Mr. Ewart.

Lord John Russell concurred in the opinion that some further mitigation in the code of punishments was required; but he could not go the length of abolishing capital punishments altogether, nor even to the extent of the present bill, which had been admitted to be only a step to total abolition. There were some offences still punishable with death, which hardly any one would think ought to be visited with such a penalty; but whether from inadvertence, or some other reason, there had as yet been no legislation on the subject. He thought the government which did away with capital punishment in so many cases in 1837, and which had since given so much attention to the subject of transportation, might have been left at liberty to consider the whole of the penal code, with a view to the establishment of an uniform and consistent system.

Mr. Kelly's bill was brought in, but shortly afterwards a measure was introduced on the part of the government by lord John Russell. In a speech of some length, with which he prefaced his motion, he

declared his conviction of the necessity of capital punishments in certain cases, at least at present,—if indeed the opinion of the public should change—if juries, who were taken out of the body of the people, should bring in verdicts of "not guilty" in capital cases, against the evidence and against the opinion of grand juries, the law then would fail to attain its object, and would require to be changed. For certain offences at present the punishment of death was denounced in the statute book, though it was in fact never executed, and he thought the legislature ought not to leave announcements of the punishment of death which were merely nominal and nugatory. He now proposed to bring in three bills—the first to abolish the punishment of death in certain cases of embezzlement, and for the offence of returning from transportation. With respect to the crime of burning ships in the royal dockyards, in some cases the offence was to be regarded as of a treasonable nature; but where it was of a lesser kind and involved no treasonable intent, he should draw a distinction, and that would be the subject of the second bill. The crime of rape was the subject of the third, and he had felt great difficulty in dealing with it. There were some cases of this nature in which no one could consider death too severe a punishment; but in others there was much difficulty, and juries had shown a great reluctance in convicting on the charge when the consequences were so heavy. The judges whom he had consulted generally agreed that capital punishment ought not to be inflicted for this crime, and the returns showed that in proportion to the number of cases in which the punishment had been commuted, the proportion of convictions to prosecutions had increased. He proposed therefore to substitute transportation for life as the punishment of rape, in place of death.

Mr. Kelly approved of the bill as far as it went, but contended for the superiority of his own more comprehensive measure. He objected to leaving the offence of setting fire to ships in the royal dockyards capital, which he said was an offence against property merely, and had no colour of treason in it. He objected also to retaining the punishment of death for attempts to murder. He said juries were always glad to evade convicting on this charge if they could bring in their verdict upon one of minor degree, and therefore adopting lord John Russell's own test of the public feeling, his measure was the preferable one.

Mr. Ewart argued for entire abolition of capital punishments.

Mr. F. Shaw objected to the mitigation of the law in cases of rape. After some further debate leave was given to bring in the bills.

The bill of Mr. Kelly went first into committee, and after much conflict of opinion, the House pronounced a negative upon those clauses respectively by which the crimes of firing dockyards, ships, and naval stores, of wounding with intent to murder, and of burglary attended with violence, were exempted from capital punishments; but affirmed the exemption in the case of rape.

Mr. Kelly after these defeats declined to proceed with his bill, and said he would leave the government to deal with their own bills on the same subject. Lord John Russell declared his resolution to

go on with the measures he had proposed, and some further discussions in both Houses, near the close of the session, terminated in the passing of the statute 4 & 5 Vict. chap. 56, whereby the punishment of transportation for life is now substituted for death in all those cases of forgery and embezzlement which had before remained capital, and the crime of rape is made subject to the same mitigated penalty. The latter change was much opposed in the House of Lords, and passed by a majority of four votes only.

At an early period of the session the Attorney-general moved for leave to bring in a bill to improve the administration of the law in the courts of equity; the first instalment, as he stated in his introductory remarks, of a reform which was intended to be hereafter applied to other departments of the law. The great delays in the courts of equity were, however, the evil he first proposed to remedy, which were caused by the vastly increased amount of business which of late years had pressed upon those courts, whose judicial establishment had experienced no addition since the reign of King Edward the 1st. The arrears in the court of chancery now amounted to between 1200 and 1300 causes. The average interval between the setting down of a cause for hearing and its being heard, was not less than three years. The consequences of these procrastinations was great distress to individuals, great encouragement to fraud, and an immense accumulation of extra costs. These delays were really as hurtful to the practitioners as to the suitors. To redress these evils he proposed, first the abolition of the equity jurisdiction of the court of Exchequer, which on account of various disadvantages incident to its constitution had fallen into disrepute. If this court were abolished some substitute for it must, however, be provided. Even during its existence an increase of the judicial power in equity had been deemed necessary, and in 1828 lord Lyndhurst had proposed a bill which he regretted to say was lost in the House of Commons, creating a new Vice-chancellor. If therefore the equity branch of the exchequer were now abolished, two new judges would be required for the business which would devolve upon them. Under the present state of things no one ever thought of going into a court of equity for sums under 100*l*. Up to this amount therefore the practice of the court of equity operated as a practical denial of justice. There were further measures connected with the appellate jurisdiction of the House of Lords and the privy council, which it might be thought the present measure should include, but his present object was to keep clear of all debateable ground, and to avoid the introduction of matters which might impede the present bill, which he desired to proceed with as expeditiously as possible. The object of the bill therefore which he now moved to introduce was the abolition of the equitable jurisdiction of the court of Exchequer, and the creation of two new Vice-chancellors.

Sir E. Sugden said, that the appointment of two additional judges, as proposed by this bill, necessarily involved the creation of two new courts, with their respective bar, suite of offices, and separate edifices. Now, if there were a greater evil than a want of

judicial power sufficient to meet the exigencies of the country, it was in his opinion the existence of a greater number of courts of justice than the business of the country required. From the creation of a court of justice intended to be only for a temporary purpose, the greatest inconvenience would ensue. He disputed the correctness of the statements made by the Attorney-general with respect to the amount of causes in arrear, and the delays which he had stated to take place, and went into some detail of facts for the purpose of showing that the arrear was, in fact, very much less than was represented. He had no doubt that the appointment of one additional judge, therefore, would amply suffice for the object required. It would be easy, afterwards, to create another court, if one were found insufficient; but not so easy to reduce the number if we created more than were needed. The office of the masters in chancery was that which most imperatively required reform, and the appointment of additional judges would be altogether valueless unless this department were improved. The higher courts of appeal also must be remodelled. The appellate jurisdiction of the House of Lords was, in truth, a great anomaly. All appeals from the court of chancery, were, in effect appeals to the chancellor himself. This system was one which ought not to continue. At the same time, he did not wish to take away anything from the powers of the House of Lords. He would still leave to that house its ultimate appellate jurisdiction, but he would propose the appointment of two new equity judges, whom he would style, "the lords' assistants," in the House of Lords, in case of appeals. Such a plan, he thought, would impart a great increase of weight and authority to the decisions of the House of Lords. He proposed that these two judges, when not occupied in the House of Lords, should sit in the judicial committee of the privy council, which possessed at present a most defective constitution, being without regular judges, or fixed sittings. These were the outlines of the plan which he intended to propose, not in opposition to the attorney-general's bill, but in addition to it, and he should move for leave to introduce his bill at the same time as the attorney-general's, in order that both bills might be before the house at the same time.

Mr. Lynch contended, that the state of business in the equity courts at the present time, and the large arrears existing, fully demanded the appointment of two new equity judges as proposed by the Attorney-general.

The Attorney-general, in reply, vindicated the appellate jurisdiction of the House of Lords, which, though it might be open to objection in theory, the result of his experience had convinced him, worked satisfactorily in practice. He admitted an alteration was called for in the judicial committee of the privy-council, and though he feared Sir E. Sugden's plan of having lords' assistants would never take place, he should offer no opposition to the bill, but would gladly lend his assistance to the objects proposed by it.

Leave was then given to both the Attorney-general and Sir E. Sugden to bring in their bills.

Upon the house going into committee on the Attorney-general's

bill, some further discussion took place, and Sir E. Sugden renewed his objection to the appointment of two additional judges. The proposition, however, was supported by Mr. Pemberton, and the clause passed without a division. Considerable delay, however, having occurred in the progress of the bill, the consideration of the report upon it was not moved till the 9th of June, before which time those events had taken place, materially affecting the relative situation of parties in the House of Commons, which we shall have hereafter to relate. Under these circumstances, a proposition made by Sir E. Sugden, with respect to the time at which the measure should come into operation, was carried against the strenuous opposition of lord John Russell, who, indignant at his defeat, threw up the bill. It was revived, however, in the short session which followed the election of the new parliament in the autumn, and then passed into a law.

The bill of serjeant Talfourd, now for the third time brought in, to extend the period of copyright to literary works was again defeated, though not as in former sessions, by delay. An able speech of Mr. T. B. Macaulay, who opposed the measure as at once ineffectual to secure the benefit proposed to authors, and injurious to the public interest, produced much impression on the house; and the bill, the principle of which had been so many times affirmed, was now rejected on the second reading, by a majority of 7: there being, for the bill 38; against it 45.

CHAPTER V.

FINANCE—*Mr. Baring's Financial Statement—Development of his Plans for the Year—Speeches of Mr. Goulburn, and of Mr. Hume and other Liberal Members — Remarks of Mr. Christopher and Viscount Sandon on the threatened change in the Corn-laws—Lord John Russell announces his intention to propose a moderate fixed duty—Speech of Sir Robert Peel, of Viscount Howick, and Mr. Labouchere—Preparations on both sides for the approaching contest —Proceedings of Associations and Public Meetings—Anti-Corn-law Movements—Union of interests against the Government measure—Debate in the House of Lords on the Corn-laws—The Duke of Buckingham quotes a Speech of Viscount Melbourne's against him—Viscount Melbourne vindicates his own consistency—Speeches of the Earls Ripon and Winchelsea—Viscount Sandon gives notice of a resolution with respect to the proposed change in the Sugar-duties—Counter-resolution announced by Lord John Russell—Notice on the same subject by Mr. O'Connell—Debate on the Sugar-duties—Important petitions presented on both sides—Able introductory Speech of Lord John Russell.—Viscount Sandon moves his Resolution—Debate lasts from 7th May to 18th.—Mr. Handley and other leading agricultural Members declare against the Ministerial plans—Dr. Lushington opposes the Budget on anti-slavery grounds—Mr. Grote's answer to this argument—Summary of the Speeches of Lord Stanley, the Chancellor of the Exchequer, Sir Robert Peel, and Viscount Palmerston—Viscount Sandon's Resolution is carried by a majority of 36—Public excitement consequent on defeat of Ministers—The Chancellor of the Exchequer gives notice of moving "the usual Sugar-duties." Severe Remarks of the Earl of Darlington on the tenacity of the Government—Preparations for a General Election—Sir Robert Peel gives notice of a Resolution affirming want of Confidence in the Government—Lord John Russell throws up the Poor-law Act Amendment Bill—The Chancellor of the Exchequer moves the usual Annual Sugar Duties—He is seconded by Sir Robert Peel—Speeches of Sir de Lacy Evans, Mr. Wakley, and Lord John Russell—Discussions on the Corn-laws in the House of Lords—Progress of Agitation, and state of public Opinion.*

THE Chancellor of the Exchequer's financial statement, which had been announced for the 31st April, was expected with un-

usual interest, as well on account of the known embarrassed state of the public finances, as because rumours had been circulated that the government intended to propose some very bold remedy for those difficulties, more especially with a view to the critical political situation in which they were now placed, and the anticipated event of a dissolution of parliament. The excitement of the house, which was before sufficiently high, was, however, considerably increased by an announcement made by Lord John Russell, before going into committee of Ways and Means, that on the 31st May he should move, "that the house resolve itself into a committee of the whole house, to consider the acts of parliament relating to the trade in corn."

The Chancellor of the Exchequer then entered into his financial statement, of which we shall present a concise summary. He said, that when he came forward last year he had anticipated that the expenditure would amount to 49,499,000*l.*, and the income to 48,641,000*l.*; leaving a deficiency of 858,000*l.* The actual results of the year had been less favourable than he had anticipated, for though the expenditure had amounted only to 49,285,000*l.*, the income had only reached the sum of 47,443,000*l.*, leaving a deficiency of more than 1,840,000*l.* The right honourable gentleman then went over the revenue tables, and enumerated the several items in the Customs and Excise, in which there had been a falling-off or an increase. Among those in which a more marked falling-off had taken place, he enumerated currants, molasses, spirits, sugar, tea, wine, and sheep's wool; but for the decline in each of these, a reason would readily suggest itself to the house. The diminished revenue from sugar and molasses, Mr. Baring attributed to the exorbitant price to which that article had risen; the anticipation of a commercial treaty with France had naturally tended to interfere with the duty arising from wine; and in the diminished consumption of spirits Ireland bore a large share—but, however that circumstance might inconvenience his statement that evening, he should be ashamed of himself if he did not allude to it with sincere pleasure. The revenue from the post-office had fallen short of his expectations; but that was owing not to a deficiency in the anticipated increase of letters posted, but to the increased expenses which had become necessary in consequence of the opening of railroads, and of the great augmentation in the business of the office. For the ensuing year, he calculated that the national expenditure would be—

Interest on the debt	£29,424,000
Other charges on consolidated fund	2,400,000
Army	6,587,000
Navy	6,805,000
Ordnance	2,075,000
Miscellaneous	2.935,000
Extraordinary expenses for Canada	180,000
Expedition to China	400,000
Making a total of	£50,731,226

The items having been given in round numbers, the total would not exactly agree with them, but the total was as he had given it. The chancellor of the exchequer next entered on the items of the revenue which he anticipated for the ensuing year. The Customs, he expected, would produce 22,000,000*l.*; the Excise 14,000,000*l.*; and the Stamps

7,130,000*l.*; and he thought he might rely upon it that the total revenue would not fall short of 48,310,000*l.* This would leave a deficiency of 2,421,000*l.* to be provided for. Mr. Baring entered into some explanations to show that the permanent deficiency, which he would really have to provide for, would be 1,700,000*l.*, as several items of the expenditure of next year were of an extraordinary character. Under these circumstances, it became necessary to find some means to make up the revenue of the country to 50,000,000*l.* No taxation could be so injurious as a permanent disorder in the national finances; and the sum they had now to provide for was so large as to make it absolutely necessary for them to act with some degree of boldness.

The question then was—what they should do? Should they fall back on the taxes which they had themselves not long since repealed? —the house-tax, for example, or the tax on coals? Should they impose taxes on things that had been hitherto exempt, place a legacy duty on real property, or a tax on agricultural horses? Were they to lay a tax upon new articles which had come into existence since the present system of taxation—such as gas and steam? Ought they to adopt the once execrated, but now popular, plan of a property tax, or might they not make some arrangement of existing taxation, so as to obtain the required supplies without adding to the burdens of the people?

He was sure that two articles—sugar and timber—had already suggested themselves to the house as those with which it was his intention to deal. The present duty on colonial timber amounted to 10*s.* a load, and on Baltic timber to 55*s.* This duty Earl Spencer had proposed to modify by raising that on colonial to 20*s.*, and reducing that on Baltic timber to 50*s.* a load. Mr. Baring intended to adopt the proposition of his noble friend. From this change in the timber duties Earl Spencer anticipated an increased revenue of 750,000*l.*, but said, that he should be content with 600,000*l.* Mr. Baring should be content to take the same sum as Earl Spencer. He next explained that the alteration which he intended to propose in the sugar duties would still leave a protection of 50 per cent. to colonial sugar. He meant to leave the duty on colonial sugar at the present amount of 24*s.* per cwt.; but that on foreign sugar, now amounting to 63*s.*, he should propose to reduce to 36*s.* per cwt. From this change in the sugar duties he expected an augmentation of 900,000*l.* to the revenue, but he would estimate it only at 700,000*l.* From sugar and timber, then, he looked for an increase to the revenue of not less than 1,300,000*l.*; which would still leave a deficiency of 400,000*l.* to be provided for. His noble friend had that evening given notice of his intention at an early period to submit the question of the corn trade to the consideration of the house; and if the propositions of his noble friend were agreed to, he should be under no uneasiness respecting the remaining 400,000*l.* If they were not agreed to, it would of course become his duty to make provision by direct taxation.

Mr. Baring went on to ask the house to look at the present aspect of public affairs. There was the German league extending its influence, and increasing its protect-

ing duties; there was the American tariff, and there was the treaty with Brazil, the renewal of which would soon have to become matter of negotiation. But it would be in vain to press upon those nations a liberal line of policy, if this country were to keep up prohibitions under the name of protection; they would retort, "we hear what you say, and we see what you do." If there was any intention whatever to admit the produce of foreign countries, the house would see that they ought not to delay and postpone until they lost the markets of the world, and had nothing left but to give way to regret and despair. The Chancellor of the Exchequer then moved a resolution of form, that eleven millions be raised by Exchequer-bills for the use of the year 1841.

Mr. Goulburn said, he would not at present express any opinion on the proposed scheme for making up the deficiency, but he was at a loss to know *how* certain measures could produce certain estimated amounts of revenue—how the reduction of the sugar duties, for instance, could be expected to produce 700,000*l.*, or the alteration in the Corn-law 400,000*l.* And he wanted to know whether that 400,000*l.* was in addition to the 1,200,000*l.* produced from the same source last year, and included in the amount of Customs revenue, upon which the present estimate was framed? Mr. Baring had given no explanation of these points. Mr. Goulburn then recapitulated the history of the financial administration of the present government, and reminded them that he had all along warned them of the consequences of an increasing expenditure, while they suffered the deficiency of the revenue to become greater year by year. He asked also how the deficiency of 1,800,000*l.* of last year was to be paid: to which Mr. Baring answered that 800,000*l.* had been vested in exchequer-bills for that purpose, and 750,000*l.* would be paid out of the funds of the savings banks.

Mr. Hume, Mr. Ward, Mr. Villiers, and other members of strong liberal opinions, expressed their satisfaction at the nature of the ministerial measure, and the contemplated reduction of duties. Mr. Christopher and lord Francis Egerton commented severely on the expedient just announced of altering the corn-laws, which they contended was obviously taken up to serve a party purpose, and was now hung up by lord John Russell's notice for a period of five weeks, to agitate the country. Viscount Sandon demanded from the government, in explicit terms, an explanation of their intentions on the subject, which lord John Russell then gave in general terms. He said he should propose a moderate fixed duty, a principle which he had already supported, and the measure would be brought forward as a measure of the government—a government united on the subject; for viscount Melbourne would not regard the taunts which were uttered against him. Lord John Russell said, he thought the time was come when it was necessary to *apply* the unanswerable theoretical arguments upon which were based the principles which the government had adopted.

Sir Robert Peel condemned the wanton and unnecessary suspense occasioned by the delay of lord John Russell's motion, and by the ambiguity as to whether it was intended to raise a duty of

400,000*l.*, or 1,200,000*l.* from corn. Unless lord John Russell consented to submit his motion at once, he might be compelled to do so; for the house would not make itself an instrument of agitation. With professions of retrenchment on entering office, and a surplus revenue, the government would be left at the end of the present year with an accumulated deficit of 7,500,000*l.*, in the face of a rising expenditure. If the opposition had voted for the estimates, it could not share the responsibility of that state of the finances, for it might object to the *policy* which had rendered those estimates necessary. Whatever might be the merits of Mr. Baring's propositions in themselves, it should be remembered that the immediate question was that of revenue; and how would the country be extricated from its difficulties, if his expectations of increased production were disappointed.

Viscount Howick supported the proposition of government, arguing from the evil effects of the Corn-law: he was of opinion that the five weeks' suspense, of which complaint was made, could not produce more uncertainty than the existing law itself.

Mr. Labouchere promised to discuss the great questions involved in Mr. Baring's announcement on a future occasion. He now explained that government were prepared to extend their revision of the tariff to other branches of trade; but first they must grapple with the most important question—that of the Corn-laws. He denied that the revision of the tariff was a party-question; and appealed to the concurrence of different parties on the subject in manufacturing towns and in the city of London, to show that the popular interest in the subject could not have been created by the mere circulation of the report of the committee on import duties, or by the manœuvres of any one party.

The debate on the budget was protracted to considerable length; but the foregoing summary embraces nearly all the more important arguments which were adduced by those who took part in it.

It may well be supposed that announcements of so much importance, and pregnant with such weighty consequences to all the great interests of the community, excited a very general and powerful sensation in the public mind. Immediately, both the friends and opponents of the ministerial plans began to prepare for the approaching contest; the one to organize the means of stirring up public feeling in its favour; the other to combine in opposition the strength of all the various interests which were likely to be prejudicially affected by the change proposed. The anti-Corn-law party set to work with great activity to organise new associations, to despatch lecturers and emissaries, who might rouse the public mind throughout the country, and to get up requisitions for public meetings in the principal towns. On the other side, meetings were convened of parties connected with the shipping and North American interests—of the planters, merchants, and others interested in the West-Indian colonies, of the representatives of East Indian property, of the societies for the abolition of slavery, whose alarms were excited at the prospect of the impulse which a reduction of the sugar duties would give to slavery

in Cuba and Brazil; and measures were taken for promoting an union of all these powerful parties with the agricultural body, to resist the blow threatened against their various interests by the government. But though the war was thus actively begun in these quarters, the excitement was by no means generally diffused among the great body of the people; the measures proposed were not of that broad and tangible nature which are alone calculated to excite the active sympathy of the multitude;—moreover, the projected changes bore too obviously on their very face the character of temporary expedients brought forward to serve the purpose and stay the fall of a party; and want of faith in the sincerity of those who proposed to carry them into effect, prevented any active spirit of co-operation on the part of those who were not otherwise interested in supporting the government. In Parliament, the opposition lost no time in coming to the attack. On the 3d of May, the duke of Buckingham, in presenting in the house of lords 120 petitions against a repeal of the Corn-laws, attacked viscount Melbourne upon his inconsistency in now joining with his colleagues in an alteration of those laws, after the strong language in which he had formerly expressed his opinions on the subject. He quoted the following remarkable extract from a speech delivered by viscount Melbourne, in reply to the proposition of a noble lord on the subject:

"His noble friend had carefully abstained from stating what it was that he meant to do—whether his object was to have a fixed duty, or a diminution of the present ascending and descending scale; but whichever of these alternatives was his noble friend's plan, as he saw clearly and distinctly that that object would not be carried without a most violent struggle—without causing much ill blood, and a deep sense of grievance—without stirring society to its foundations, and leaving behind every sort of bitterness and animosity—he did not think that the advantages to be gained by the change were worth the evils of the struggle, by which their lordships might depend on it the change could alone be effected. They had seen great changes at no distant period—changes which had stirred society from the bottom, which had excited man against man, divided the whole country into parties, and left behind the deepest feeling of discord and enmity. He for one was not for adding to those feelings by rashly adventuring to stir and agitate them; and upon those general grounds he felt himself justified in saying 'no' to the motion of the noble earl." [*The reading of this extract was followed by a loud burst of cheers from the Conservative benches, which lasted for several minutes.*]

Viscount Melbourne thus vindicated his own consistency:

"Unquestionably I have often stated the opinion, and at the present moment I feel the same sentiment, expressed in those words of mine which the noble duke has quoted. I know that there are many reasons—I know there are many reasons and grounds which render the agitation and discussion of this question liable to great objections and fraught with considerable evil and danger. [*Loud cheering from the Conservative benches.*] But at the same time, I beg to call to the recollection of your lord-

ships, that on every occasion in which I addressed the house on the subject, and whenever I opposed its discussion and consideration, it has always been on particular and temporary grounds. [*Loud cheers from the Ministerial side of the house.*] And on the measure itself, I have always reserved my opinion. [*Continued cheering.*] I have always stated, that I would never pledge myself to the law as it at present stands, seeing that the time might come when it would be necessary to take the question into consideration, and to settle it on another basis from that on which it at present rests." [*Cheers from the Ministerial side.*]

"That time has now arrived—those circumstances have now arisen—when we find that it is requisite to meet the present exigencies—when we find it necessary to take large, wide, and extended financial measures; and doing that which affects other interests seriously and deeply, it appeared to us impossible to leave this main and master interest unchanged under such circumstances and in such a crisis. [*Loud cheers from the Ministerial side of the house.*] Undoubtedly I have changed the opinion which I formerly held—[*Great counter-cheering from the other side*]—grounded as that opinion was on purely temporary interests." [*Renewed cheering from the Ministerial side.*]

The earl of Ripon asked whether the alteration in the Corn-law was to be on the principle of taxation or protection—if on the former, all the arguments of the anti-Corn-law league vanished into thin air, and there was an end of those appeals which were made to the passions of the multitude. The principle of protection rested on humane and consistent grounds; but by abandoning this, and by taking up the new ground of taxing corn for revenue, you would do that which had never been attempted in any country of the world, and which would be the most impolitic, unjustifiable, and cruel act, ever imposed upon a reluctant parliament.

Viscount Melbourne said, unquestionably it will be upon a principle of protection.

The earl of Winchelsea observed that it was a universal axiom that no country should be left dependent on others for the necessary articles of subsistence. That principle was now to be abandoned. "This tax," said the noble lord, "has been threatened to raise the popular cry of 'Cheap Bread;' and now, having pursued a course of policy—foreign, domestic, and colonial—the most adverse to the interests of the kingdom, her Majesty's government shortly intend to go to the country, by a dissolution, with that cry in their mouths, and by clamour seek support and confidence. But the people of this country are too reflecting to be thus deceived. They know that cheap bread means low wages." [*Loud cheering.*]

Some further desultory discussions on the same subject took place in the house of lords, on the presentation of petitions, by earl Fitzwilliam for a repeal of the Corn-laws.

In the house of commons, viscount Sandon, a very few days after the announcement of the financial projects of the government, gave notice of the following resolution, which he would move on going into the Committee of Ways and Means. "That, considering the efforts and sacrifices

which Parliament and the country have made for the abolition of the slave-trade and slavery, with the earnest hope that their exertions and example might lead to a mitigation and final extinction of those evils in other countries, this House is not prepared (especially with the present prospects of the supply of sugar from the British possessions) to adopt the measure proposed by her majesty's Government for the reduction of the duty on foreign sugars."

Lord John Russell said, that in the event of the House not going into committee on the Sugar-duties, and viscount Sandon's resolution being put from the chair, he should move another resolution, the terms of which he stated on the following evening:

"That it is the opinion of this House that it is practicable to supply the present inadequacy of the revenue to meet the expenditure of the country, by a judicious alteration of protective and differential duties, without any material increase of the public burdens: that such course will, at the same time, promote the interests of trade and afford relief to the industrious classes, and is best calculated to provide for the maintenance of the public faith and the general welfare of the people."

A third notice was given by Mr. O'Connell, which was to the effect, that any diminution of the duty on foreign sugar should be strictly limited to that which was the produce of free labour, and not extend in any way to the produce of slave-labour.

Before the House went into committee on the 7th of May, lord John Russell announced the rate of duties which he intended to propose on Corn, according to his former notice, viz.: on wheat, a duty of 8*s.* per quarter; on rye, of 5*s.*; on barley, of 4*s.* 6*d.*; and on oats, of 3*s.* 6*d.*

The debate on the Sugar question was preceded by the presentation of a number of important petitions on both sides. Against the government plan were those of the Shipowner's Society, the Chamber of Commerce at Glasgow, the merchants of Liverpool, the Colonial Society, the British and Foreign Anti-Slavery Society (the name of Thomas Clarkson being the first appended to this petition), various West India associations, and divers bodies of planters, merchants, and others. In favour of the Budget, the petitioners were the Brazil merchants of Liverpool, the American Chamber of Commerce at Liverpool, the merchants and manufacturers of Kendal, the sugar-refining trade of London, several corporations, and other parties.

The debate was commenced by Lord John Russell taking the formal motion for going into committee out of Mr. Baring's hands, and availing himself of the opportunity for preoccupying the ground and anticipating the arguments of viscount Sandon and his friends. The speech of lord John Russell, whatever might be the merits of the policy which it advocated, is certainly entitled to praise, as able, comprehensive, and elaborate, in no ordinary degree. This circumstance will justify us, after we have given a summary of its leading topics and arguments, in passing over with very brief notice, many of the speeches which were afterwards delivered on the same side; for as the debate on this question was protracted to the unprecedented duration of eight nights, it would

be impossible, within the limits of this work, to present even an epitome of the speeches individually, without trenching upon the space demanded by other matters of great public moment. The speech of lord John Russell may, however, be taken as a very good exposition of the policy and principles of the Government and its supporters. He said, that if this had been merely a financial question, he should have left it to the superior knowledge and perspicuity of the Chancellor of the Exchequer; but he regarded it as constituting, by the variety and magnitude of its relations, a great national subject. The Government were well aware, even from the beginning of this year, that the finance of the country was matter of great difficulty, and would require great attention. Their resolution to consider the Corn-laws was formed before the 11th of March, when the notice was given that the colonial duties would be reviewed. On that occasion he had stated, that it was the intention of the Government to embrace the whole subject of Import-duties; and when he now added, that he had long ago communicated with the Governor-general of Canada upon the Timber question, he trusted there would be an end to that story, circulated in hostility to the Government and to its character, that the present Budget was a sudden contrivance and resource for the extrication of the Ministry. He spoke now in behalf of no colonial club, no powerful individual interest, but on behalf of a body often helpless on these occasions—the great body of her majesty's subjects. Many foreign emergencies had arisen in the Mediterranean, in China, in Canada; domestic insurrections had broken out, and large additions of force became necessary for the safety of the empire. These additions had been supported by majorities of the House; and the means thus bestowed had been successfully employed by the Government. The cost of these efforts had now to be provided for; and the Government had to meet a deficiency of 2,400,000*l*. It was open to the House to have objected to the expenditure at the time; but now to oppose the going into Committee of Ways and Means, without suggesting any other plan as preferable to that of the Government, was a course unworthy of a great party. The Ministry had considered the expediency of meeting the emergency by a loan, but they had rejected that expedient as unwise, where the deficiency was permanent: they had considered also the resource of increasing the direct taxes; but they had preferred, on the other hand, the plan of altering the Import-duties, as now proposed, for the purpose of relieving instead of oppressing the people. Then being prepared to deal with Sugar and Timber as questions of revenue, they would not have been justified in excluding the other great question—that of Corn — especially with their opinions on the merits of that question, and their belief that, sooner or later, it must be made the means of an extensive change in the commercial situation of this country. The duties he meant to propose upon Corn, added to the charge of freight from foreign countries, would constitute a sufficient protection, keeping the price of Wheat, in all probability, at from 50*s*. to 60*s*. a quarter. With respect to Sugar, he took the true

principle to be protection, not prohibition. He was not now considering whether all foreign sugar ought to be prohibited—that was a separate question—but only whether the present proposal did or did not give a sufficient protection, where protection and not prohibition was the object. He then entered into some details, for the purpose of showing that West Indian interests would be effectually protected under the proposals of the Budget, and that freedom in the commercial intercourse of nations had a tendency to improve and to cheapen the productions of each. Thus, by the admission of foreign sugars, the industry of the West Indies would be stimulated to better means of production, and the English labourer would obtain his sugar on more reasonable terms. The great measure of slave-emancipation, purchased by this country at the cost of twenty millions sterling, had been eminently successful, and the condition of the negroes was not only promising but prosperous. This fact he proved by various statistical details. There was no reason to suppose that the progress of the West Indian negroes would now be checked by the importation of foreign sugars; and having given them justice and freedom, the government would not be justified in further forcing West Indian cultivation for their sakes, to the injury of the English labourer, especially when the manufacturing interests at home were enduring the severest distress. He asked the House, therefore, not to let their good-will to the West Indian negroes operate to the disadvantage of the sufferers at Bolton and Manchester, who, it was but too probable, would be reduced in great numbers to parish relief before the end of the session. The working people had now for some time been improving in their habits, preferring tea and coffee to ardent spirits: it was most desirable to encourage that tendency, and not to drive them back again to deleterious liquors. It was said, that sugar would soon be cheapened by an increased production in the East Indies. But this, if the present scale of duties were maintained, would only be a transfer of monopoly from the West to the East. He now came to viscount Sandon's proposed resolution, which did not altogether prohibit slave-grown sugar, but mixed trade and humanity together, mainly on the ground that there was a good prospect of supply from the colonies. That was intelligible enough as a great party-move; but it by no means excluded the movers themselves from letting in slave-grown sugar in some future state of things. The resolution looked as if it were full of humanity, but it left a corner for future free-trade. But if the House were resolved against taking slave-grown sugar, what would it say as to the admission of other articles of slave-labour? Would they wholly prohibit the slave-grown coffee, of which so large a quantity was now consumed by British subjects? Did the man who would be horrified at drinking a cup of slave-grown coffee, redeem the potation and relieve his conscience by putting in a lump of free-labour sugar? But there was a still stronger case; the West India planters themselves were now consuming slave-grown sugar. (Viscount Sandon intimated that he would gladly stop such a consumption.) Lord John Russell

proceeded to contend, that this apparently philanthropic resolution was a mere party motion, to embarrass the Government by uniting various interests against them. Yet who, after all, had been the persons most active in the great cause of humanity? It was the Whig Government of 1806 which put an end to the Slave-trade. It was the Whig government of Earl Grey that abolished the flogging of females, and granted 20,000,000*l.* of money for the abolition of slavery. And now a party, who never did anything for any of these objects, came forward with an affectation of humanity, for which their past conduct did not entitle them to take credit. It had been proposed to reduce the duty on Colonial Sugar. To such a reduction, certainly, the Government ought to look, when the revenue should be able to afford it, but that period had not yet arrived. If the Government measure were adopted, England might, as a great customer of Brazil, have an influence in the mitigation of her slavery; but not so, if Brazil should find a stubborn resolve in the British Legislature to exclude her produce. She would then continue her slave-labour, and sell her produce to other countries. Not only as to Brazil, but as to other nations, the present crisis was an important one. The example which they were now about to give would be of the most extensive influence. "If they saw that this great commercial country, this free country, had come to an opinion, that restriction and prohibition were the best maxims of commercial policy, they would quote that example for themselves. Their merchants would quote it too, and restriction and prohibition would become the rule of intercourse of European nations. (*Loud cheers and counter cheers.*) Was that for the advantage of this country, or was it for the advantage of the world? He said, that for the former it certainly was not: for as a great commercial and manufacturing nation, we ought to look to the extension and diffusion of British Manufactures. He said also, that for the advantage of the world it certainly was not: because his belief was, that the more there was a free and unrestricted intercourse—the more the nations of the world were mingled together by those ties of peaceful commerce, the more this country would be carrying, with her bales of goods and cases of hardware, the knowledge of civilization and Christianity of a nation that stood in the front for all those qualities (*loud cheers*); and the House must observe, that though this nation stood in so proud and eminent a position, yet a pernicious example set by her in that respect, which might be of some disadvantage to others, must finally be of the utmost disadvantage to herself. She did not stand like Rome, the conqueror of the world—

"But, Rome, 'tis thine alone with awful sway,
To rule mankind and make the world obey,
Disposing peace and war, thy own majestic way,
To tame the proud, the fetter'd slave to free;
These are imperial arts and worthy thee."

She was, on the continent, one amongst several nations of great power and great civilization, of whose institutions some were equally as free as her own; many of them advancing to great wealth, and competing with and rivalling

her in all the arts of peace, and in all her productions. Let her give, then, to those nations but a right example, and she would still be, not only even, but the foremost. But let her take a contrary course, and establish restriction and prohibition—let her say to other nations, that her merchants of the West Indies and East Indies, the timber-merchants of North America, and the landowners of her own soil, had a present monopoly, that that was her standard, and under that standard she meant to march on, and by it to abide; she would then set an evil example, that before long would become confirmed, and when she wished to retrace her steps, she would find the lesson she had taught too deeply implanted ever to be eradicated. Having those views of the state of the country, and of the other countries of the globe in communion with it, he and his colleagues had, as it was their bounden duty to do, given their advice to the sovereign; the result of that advice he had now produced before the House, and with them it rested to come to a decision on the subject. If they adopted the plan which the Government had proposed, he looked forward with confidence to an era of prosperity. If, however, they did not adopt it, on that House would be the responsibility of rejecting the measure, while her majesty's Ministers would have discharged the duty that was incumbent on them, that of not having concealed their opinion, and having done their best for the service of the country." The noble lord then moved, that the Speaker leave the chair, and resumed his seat amidst long-continued cheers.

Viscount Sandon then rose, to propose the resolution of which he had given notice. He disclaimed the desire imputed to him, of excluding all trade in all slave-produced articles; his objection was, to such a direct encouragement and powerful stimulus to the slave-trade as this measure would afford. He showed, from various returns, that the supply of sugar was now becoming so plentiful, as to deprive the Government of the excuse, that their measure was necessary for the relief of the labouring classes at home. That measure was held out as a boon to the foreign slave-owners, and to the extent of that boon it was a bounty upon the slave-trade. If this were a mere mercantile question, he would not have interfered. As a mere protection, the existing duty might probably be too high, but the question was a moral one, involving the success of the great experiment of negro-emancipation, for which the nation had lately paid so large a price. The Government, moreover, had miscalculated their details; their measure would not be found adequate to supply the required revenue. This he proved by a reference to various documentary statements, and referred to similar sources to show the great increase in our exports which had recently taken place to those colonies in which free-labour had been established. The value of the trade of Brazil and Cuba, as compared with that of the West and East Indies, was inconsiderable. Commercially, therefore, the manufacturers would be losers by sacrificing the colonial markets to those of the slave-owning states. He defended the colonists against the imputation, that they were wanting in humanity, and concluded by moving the resolution which has been before stated.

In the course of the debate which followed, and which lasted, with only the exception of two intervening Saturdays, from night to night, from the 7th to the 18th of May, upwards of eighty members addressed the House, some of whom spoke at considerable length. Of course, such an unprecedented length of discussion involved much repetition and reproduction of the same arguments. Under these circumstances, it is thought that the nature of the debate will be best conveyed to the reader by presenting a full analysis of the speeches of a few of the leading members on either side, and, as regards the rest, by noticing in detail only two or three of the more prominent features of the controversy. Among these, the defection from the ministerial rank of some of the usual adherents of Whig politics merits attention. The obvious connection of the propositions contained in the Budget, with the threatened alteration in the Corn-laws, drove some of the representatives of the agricultural interests, who generally voted with lord John Russell, into the ranks of his opponents. Thus, on the first night of the debate, Mr. Handley, one of the members for Lincolnshire, and a leading organ of the farming interest, declared that he could not vote with the Ministers, as he regarded the questions of Sugar and Timber as inseparably mixed up with that of Corn. He said, he was astounded at the proposal of 8*s.* and 4*s.*, a reduction of duty which he believed went even beyond the hopes of the Anti-corn-law League themselves. He would rather have had no protection at all than such a protection as this. Lord Worsley, Mr. G. Heathcote, and Mr. L. Hodges, all friends of the agriculturists, but of liberal politics, declared the same resolution. On the other hand, Dr. Lushington, a very decided and consistent Whig, avowed his enmity to the Budget on another distinct ground—its tendency to encourage slavery and the slave-trade. He said, that every country had a right to denounce a trade which all Europe had agreed, with one accord, was opposed to the law of justice and humanity—of God and man. There might be difficulty in our finance and in our commerce; but this measure would not relieve it. He had not changed one iota of his opinions. He had opposed, in common with a large majority of the House, the reduction of duty on foreign sugar, when prices were higher and supplies doubtful; he would not think it more fitting to reduce that duty now, when prices were lower and supplies promising. He must oppose the reduction, as tending to increase the slave-trade and slavery, as unjust to the West Indies, as disadvantageous to the East Indies, as injurious to the tropical population, and as unnecessary in itself. He stated, in detail, the present prospects of supply from our own colonies, of which the produce was now rapidly increasing; and he adverted to the enormities of slavery as upheld in Cuba, where the slaves were always worked in gangs of males only, to whom was denied even the necessary refreshment of sleep, and against whom every man's hand was raised, as if the oppressor hated the slave for the very wrong he had done him. This was no free-trade—this was no competition: there could be no competition between the honest manufacturer and the man who robbed on the highway. After a just panegyric on the virtues and

exertions of Mr. John Joseph Gurney, who had recently visited the West Indies, and published the valuable results of his experience there, he read an opinion transmitted to him from that gentleman, in which the necessity of excluding slave-grown sugar was strongly enforced. The effects of the government measure would probably be, that the Brazilians would withdraw capital from cotton to sugar; and thus this country would be rendered dependent for her supplies of cotton on the United States alone. If the question were put to the British people, whether they would prefer to pay a little dearer for their sugar, or to have it cheaper at the cost of human suffering, he believed that they would prefer the former side of the alternative.

Several members in support of the Government addressed themselves with especial reference to Dr. Lushington's argument—none perhaps with more effect than Mr. Grote, whose speech throughout was marked with much ability. He said, "When in former years the mischiefs of slavery, as it existed in our own islands, were forcibly exposed, the conclusions deduced were natural and legitimate, and worthy of the premises laid for them. Parliament said, "Here is a great evil existing, let us interfere and put it down." The generous exertions of those who exposed the evil were rewarded with their proper result—a direct and effective intervention for the purpose of putting down the evil. But when gentlemen denounce the practice of slavery, as it exists in Cuba, in Brazil, or in other foreign countries, what are the practical conclusions which they deduce from their doctrine? Do they propose that we should formally require the governments of those countries to abrogate slavery, and that, in the event of refusal, we should fit out armaments to enforce compliance? No person has ever started such a proposition. Do they propose to declare all the products of slave-labour tainted, and to forbid them as abominations, of which it is not permitted under any circumstances to partake, just as certain descriptions of food are peremptorily interdicted in many countries by religious precept? Sir, I do not find that any person proposes this. But, Sir, unless gentlemen are prepared to maintain this proposition, they abandon the moral ground of the question; they can no longer take their stand upon the dignity of a moral and conscientious scruple: they cannot be allowed to reason upon the moral view of the question up to a certain point, and then to turn their backs upon it when they find inconveniences thickening around them: they cannot be allowed to rate the stain arising from slave manipulation at some fixed sum, such as one penny or twopence per pound, and nothing more. So long as gentlemen encourage the introduction of slave-grown cotton and slave-grown tobacco, I say that I am only following their example when I treat this question as one of prudence and public convenience, and not of any peremptory moral obligation." Had the exclusive system checked the spread of slavery, Mr. Grote asked, in Cuba and Brazil?

We shall select the speeches of lord Stanley and sir Robert Peel, as affording the best general compendium of the arguments urged against the measure, while those of the Chancellor of the Exchequer and viscount Palmerston on the

other side, with the analysis which we have already given of lord John Russell's opening address, will sufficiently explain the grounds relied on by its supporters.

Lord Stanley said, it was alleged on the other side, that a great principle was now for the first time brought to the test—that of free-trade, and that every one was agreed upon this principle; but the fact was, that free-trade, that is, trade unfettered with restriction or protection, had been advocated by no member except Mr. Grote. On the contrary, the Ministers had announced that their principle was one of protection, not of free-trade. On Corn, on Timber, and on Sugar, protecting duties were proposed. He did not find fault with protection; but let not the Ministers, who acted upon it, profess to be the pure and perfect champions of free-trade. He agreed with them, that the true rule was protection, as opposed to prohibition; but the amount of protection in each particular case must be a question, not of principle, but of varying circumstances. The same rule could not be applied to the agriculturist and to the manufacturer, the capital of the former being so much less moveable and so much less independent of seasons; and sugar was one of those descriptions of agricultural produce, with respect to which the application of the rule was matter of peculiar difficulty. But admitting the general principle as applicable both to agriculture and manufactures, if it was necessary to foster a manufacture in its infancy by protection, it was especially necessary, in the present case of the sugar trade. Lord Stanley then entered fully into details, exhibiting the probable abundance of the future supplies of sugar from our own colonies, and the excess of those supplies beyond any probable amount of British consumption. The treatment of this question was matter of the greatest importance with reference to the course which foreign nations would take with regard to the great experiment of emancipation. Mr. O'Connell, who, he had heard with the greatest surprise, was prepared to support the measures of the Government, had given notice of a motion in committee for excluding such foreign sugar as was produced by slave-labour. The objection to that motion was its impossibility. It was in the very teeth of our treaty with Brazil. Lord Stanley then cited a speech of Mr. O'Connell, made in opposition to a plan proposed by Mr. Ewart last year, precisely similar to the present. The Government, too, had then opposed that plan, when the prices of sugar were high, but now, when the consumer had been relieved by prices unusually low, the same scheme was revived and brought in by themselves. He was not disposed to go the extreme length of saying that this country ought to exclude every species of slave-grown produce. Such an exclusion would in truth be impracticable. But he would not consent to a measure which went to throw away all the fruits of the great and costly experiment now in progress. It was urged, that our refining trade admitted sugar to be imported for refinement and re-exportation. But our refining did not add one pound to the quantity of sugar grown in Brazil. We were therein the mere carriers of that sugar which foreign nations would equally have consumed.

Then as to cotton and coffee: his answer was, that wherever you could substitute the cultivation of cotton and coffee, though reared by slaves, for the cultivation of sugar, the slave would be a gainer by the comparative lightness of the labour required for the former articles. A pleasing picture had been drawn of the present state of our negro population. To what was this owing? Solely to the consumption by this country of their staple article of production. Was this a state of things into which the noble lord ought to break? He said nothing of the hundreds of millions permanently invested in machinery and land—he said nothing of the 20,000,000*l.* paid by this country, or of the ruin to which it would subject our fellow-countrymen in the West Indies; but he would ask them, when they saw the negro acquiring habits of honest industry, stimulated to labour by the wages offered—when they saw an increasing population, and when they knew that all this flourishing condition was owing solely to the consumption by this country of their staple article of production—he would ask them, if this was the moment to choose for the destruction of their incipient prosperity? Was this the moment to choose for the introduction of a new competition in the shape of slave-grown sugar, depriving the negro of those wages which, while they amply repaid him for his labour, were the means of stimulating him to laborious exertion?

He felt deeply for the distress of our manufacturing districts, but it would be well for the Government to pause, before they closed, for the sake of a new vent in Brazil, that great colonial market which had hitherto afforded so large an outlet for British commodities, and that other fresh and unlimited market which was now opening itself in the valley of the Ganges. The unsettled state of our foreign relations was enough to account in a great measure, for the temporary prevalence of commercial distress. He, however, did not despair of the finances of the country under a good and prudent Administration. In the extraordinary expenses occasioned by foreign transactions, and in the reduction of the Post-office Revenue, he could trace the whole amount of the deficiency to be provideed for. He quoted the *Liverpool Price Current*, of 11th May, 1841, which stated, that after the first panic caused by the announcement of the ministerial project had subsided, the market was become calmer from the conviction that no such measure could be carried. Finally, lord Stanley vigorously denounced the scheme as the last act of expiring desperation on the part of the falling Government.

"It had been said, that whatever might be the result of the immediate proposition, the seed was sown which would produce its fruit in due time. He feared that the seed was sown which would produce a bitter fruit; and deeply regretted that at the moment when the Government felt themselves tottering to their fall—when the financial difficulties of the country, to say the least of them, were most serious—when he would not say county by county, but borough by borough, they saw their hold upon the country gradually slipping away from them—(*Great cheering*)—that at that moment, when the common con-

sent of the country proclaimed, whatever might be the opinion of honourable gentlemen opposite, that they could no longer hold the reins of office, as they had long since ceased to hold the reins of power—(*Renewed cheering*)—he regretted, he said, that this should be the time chosen by Government for throwing loose upon the country a crude and undigested scheme, involving the most extensive financial regulations, deeply affecting every interest in the country, paralysing for the time all speculations in trade and all activity in commerce; and this under the full conviction that it was impossible they would be able to carry the project into effect." (*Great cheering.*)

The Chancellor of the Exchequer said, that the arguments of the Opposition on the Sugar question were inconsistent with each other. The measure could not both ruin the West Indies, and fail to yield revenue. The price which this measure would secure to the British colonist was one which had been exceeded only twice in the whole of the last twenty years. It had been said that the measure would not yield the anticipated revenue. He contended that it would: for when the colonial sugar should rise to a certain point, the foreign sugar would come into competition with it, and so prevent the price from rising to such a height as would check consumption: and while consumption should be maintained to the extent which he contemplated, a revenue might be relied on, which from his data he took at 700,000*l*. It was proved by the evidence given before the Committee on Import-duties, that when the price rose beyond 60*s*. per hogshead, the consumption was checked, but at 58*s*. or 59*s*. the consumption was interminable; and by this measure the Government took security on behalf of the poorer classes that the price should not rise beyond this consumption level. If the colonies and the East Indies could supply the sugar at this moderate price, the foreigners would not get in; but if they were unable to furnish the requisite amount at the reasonable rate, the foreigner would enter and redress the balance. It was true that the supplies of colonial sugar were now plentiful, but that was the very reason for selecting this as the time to introduce a change, because in such a state of the stock it would fall with no sudden hardship on the colonists. Mr. Huskisson had proposed a plan of this kind to the Cabinet of his time, and they had acceded to its principle, though from collateral circumstances the measure was not then brought forward. The principle having been so sanctioned by the Tory party, with what grace did they now seek to ride into power, by raising the cry of humanity, and contending that it was contrary to principle to let in slave-grown sugar under any circumstances? The measure referred to was not a trifling one—not one that could have passed without consideration. There was no truer principle than that of Mr. Huskisson, that if you wish to improve a trade, you must subject it to some competition. With respect to the encouragement of slavery, it was to be remembered, that if you sell your goods to a slave-owner, you equally encourage slavery, whether you take sugar in exchange, or any other article; for the other article which he pays you, must

have been acquired by him by his slave-labour. He reminded the House, that last year he had ventured, notwithstanding the general opinion that no minister could accomplish such an object, to impose direct taxes. He had, therefore, cleared away that difficulty for the future: but at this season, and under present circumstances he did not think it justifiable to repeat the experiments. The present Opposition made objections: but they proposed no measure of their own. Such a policy was perhaps requisite, in order to keep that powerful party together.

Sir Robert Peel then addressed the House in a speech which was listened to with peculiar interest, not merely with reference to the pending debate, but because it contained a statement of the principles by which it might be understood his conduct would be regulated in the now probable and nearly approaching event of his succeeding to the government. He began by saying, that even though no question of timber or corn had been mixed with that of sugar, he would have voted against the introduction of slave-grown sugar into the English market, not upon the abstract ground that conscience would forbid all commerce in the produce of slave-labour—he had voted for the reduction of the duty on cotton, and for the removal of the absurd restriction which required foreign coffee to be sent round to the Cape—but he now rested mainly upon a consideration of the social and moral condition of the West Indian people under the experiment now in progress. If the personal interests of the planters were only to be considered, the House might possibly have expected them to sacrifice those interests to the public advantage. But much higher interests were at stake, in the moral and social condition of the people in that part of the empire in which we had recently made the most hazardous, and he rejoiced to admit, the most successful experiment in the annals of the world. But he could not conceive what might be the consequences of that change, if we now took a step which would introduce sugar produced by slave-labour into the market of this country, Sir R. Peel expressed his conviction that a sufficient supply of sugar for our own consumption would be furnished from the East and West Indies, and from the Mauritius. There had been a material reduction in its price even since the beginning of the present debate. He urged the importance of providing new articles of remittance from India to England: and quoted instances of extensive mortality by famine, in Hindostan, produced in some measure by the expulsion of the Hindoo manufactures, through the superiority of the English. After such fearful examples, he was unable to feel the paramount obligation of those free-trade doctrines which now required him to give a preference to the industry of Cuba and Brazil over that of the East Indies. The proposal alleged to have been made by Mr. Grant, now lord Glenelg, to a Tory Cabinet, had been misrepresented. It was a proposal only, for reducing the duty on West India sugar, not for admitting the sugar of slave-colonies; and since that time, slavery had been abolished in the British possessions, so that the circumstances were totally altered. He owned he was surprised at the tone taken upon the slave question

in this debate—the abandonment of the whole position heretofore maintained by Government — an abandonment which the country would view with disgust. The time was passed when a nation could rule her neighbours by force: but he had hoped that England might still sway them by the greatness of her example. Sir Robert Peel then proceeded to defend himself against the imputation of being actuated by motives of faction, in his present course, appealing to the support which he had rendered to the Government on many great public questions, and reminding them that he was only now pursuing the course which he had taken conjointly with the Ministers themselves, on this very question last year. It had been said, he continued, that viscount Sandon's resolution left its supporters a loop-hole to escape by, so that they might afterwards bring forward the measure which they now opposed. Sir Robert Peel would not avail himself of it—he said,

"I will be frank and explicit with you. I do now say that my opinion, my deliberate opinion is, that the great experiment which has cost this country so much—the great experiment for the extinction of slavery — should be fully, fairly, and perfectly tried; and that to this effect we ought to encourage sugar the production of free-labour, by giving it the exclusive preference in the market of the United Kingdom, as well as to attempt to increase its supply in all our colonies. Sir, if I had been in office, I should have taken the same course that I did take on this question; and if I should be in office, I never contemplate changing it. (*Cheers*) I do not propose to follow your example—(*addressing lord John Russell*)—to resist the proposition now under discussion this year, and come down the next with a motion for its adoption. (*Great cheers.*) Sir, the principle we contend for is this, that East India sugar and rum—all produce of that colony in fact, but especially sugars—should be placed on the same footing as the produce of the West Indies. My confident hope and firm belief is that a sufficient supply of sugar will be produced in our own colonies. I should rejoice at it; and if it be procurable at a reasonable price, I shall be prepared to continue the existing protection, so long as our West Indian colonies remain in a state analogous to that in which they are placed at present."

He did not deny, and he deeply regretted, the existence of great distress in some of the manufacturing districts: a distress, however, which unhappily was to be found in all times and circumstances. But he did not contemplate with alarm the financial prospects of the country. He referred to parliamentary returns showing the recent decrease of exports to have been but small, and to have been chiefly owing to the late embarrassments of the United States, our great customers for those articles in which the decrease had taken place. The state of our shipping had been not only not retrograde, but actually progressive. He had been called upon by Mr. Villiers to make a declaration of his opinion on free-trade. Mr. Villiers said the principle of free-trade advocated by him and those friends who concurred with him was this, that without reference to any other consideration,

our true policy was, to buy in the cheapest market. If such was the principle of the honourable gentleman, to be acted upon as an invariable and universal rule, without reference to time and circumstances, sir Robert could only say that in principle, or at least in this application of it, he could not concur. He did not contest the principle in reference to countries, if it were possible to conceive their existence, in which no preformed relations subsisted; but, as lord Stanley said in the admirable speech he had delivered, in a country with such complicated relations as this, of such extensive empire, of such immense trade, the rigid application of such a principle as this would involve us in inextricable confusion; and sir Robert Peel apprehended that the Ministry themselves would dissent from the principle of free-trade thus laid down. If Mr. Villiers's principle was really and simply to go to the cheapest market, what could the honourable gentleman say to the Government proposition to impose 8*s.* a quarter duty on the importation of Wheat? He must, consistently with his principle, insist upon the entirely free and unrestricted importation of Wheat, Timber, Sugar, and every other commodity. Sir Robert Peel and his colleagues in office had been cordial supporters of Mr. Huskisson, the recollection of whose authority confirmed him in his present opinions; and the only actual resistance to Mr. Huskisson's measures was from Mr. Edward Ellice and Mr. Williams, partisans of the Whigs "Yet now lord John Russell seemed to claim an exclusive possession of the principles of Mr. Huskisson. (*"Hear, hear," and laughter.*) He seemed to say, "If we go out of office, we will pack up the principles of free-trade and carry them away with us. (*Loud cheers and laughter.*) But such is our magnanimous generosity, that we give you notice that we shall stand by our principles; and we will not withhold a supply when you demand from us a contribution of liberal policy." (*"Hear, hear," and laughter.*)

Proceeding to the subject of Corn-laws, he next announced his fixed determination with reference to that question—this declaration is too important to be abridged:

"I do then say, that notwithstanding the forcible combination which has been formed against the Corn-laws—notwithstanding the declarations that either the total repeal or the substitution of a fixed duty for the present scale is the inevitable result of the agitation now going forward—notwithstanding this declaration, I do not hesitate to avow my adherence to the opinion which I expressed last year, and now again declare that my preference is decidedly in favour of a graduated scale to any fixed duty. (*Loud cheering.*) I said that I preferred the principle of a graduated sliding duty to a fixed one. I said that I would not limit myself to any rigid details, but that I reserved for myself the opportunity of considering them; the principle of the graduated sliding-scale as compared with the fixed duty I bound myself to, but not to any details. * * * The noble lord will propose the adoption of a fixed duty; but I will offer my opposition to it on the ground that I do not think a fixed duty can be permanent."

With respect to the Timber-duties, he said it was not a question upon which any rational man

could venture to form an opinion without having been put in possession, not only of the financial and commercial, but also of the political circumstances connected with them. He then adverted to the state of Finances of the country. The Government talked of a great financial crisis—they were themselves mainly responsible for it. They came down to the House year after year, and announced a deficiency; and now they boasted themselves martyrs of free-trade, and applied to him (sir Robert Peel) for a Budget. He proceeded in a strain of taunting severity:—

"I am by no means surprised at your confidence. You recollect that when I left office in 1830, I had been connected with an Administration which, during the period in which it had the management of the finances of this country under its control, reduced the public debt by 20,000,000*l.* of capital, and the annual charge upon that debt by more than 1,000,000*l.* You remember, too, that we left a surplus of 1,600,000*l.* of revenue over expenditure; and that we did all this with all the difficulties of an unreformed Parliament. (*Loud cheers.*) Now, you have had your way for five years. You have had all the benefit of cheap Government. (*Laughter.*) You have had that superior advantage—you have had the Administration of affairs for ten years. You recollect, no doubt, the aid which I gave you with respect to the Jamaica question on a former occasion—when I enabled you to retain popular representative Government—when you were compelled to take my advice, and were glad and rejoiced in your counsellor—you remember all this; and, if the circumstances were the same now, I would again give you the same advice. (*Cheers.*) Sir, I cannot but confess that I view with unaffected sympathy the position of the right honourable gentleman the Chancellor of the Exchequer—for "to see a good man struggling with adversity," says the poet, "is a sight which the gods love to look upon;"—(*Laughter*)—and I cannot conceive a more lamentable position than that of a Chancellor of the Exchequer seated on an empty chest, by the side of bottomless deficiencies, fishing for a Budget. (*Protracted cheers and laughter*)—I won't bite—*Reiterated laughter and cheers*)—and I refuse my aid, on this ground, that I can see nothing less worthy of public confidence than my conduct would be were I, out of office, to come forward and offer my Budget in competition with yours." (*Loud cheers.*) There might be some young gentlemen in that House who would be silly enough to fancy that he would say something about a property-tax, and the propriety of abolishing the Penny-postage system. But he would fairly say at once, that he would bring forward no Budget; his vote that evening was upon a question of Confidence—(*Opposition cheers*); and he would not endeavour to obtain the confidence or support of the country by raising expectations that he should bring forward plans for relieving the necessities of the country, or encourage any precise expectations of relief. He stated what he should do if called to office.

"No man had a right to anticipate being taken to the confidence of his sovereign, and placed in the position of Minister. If it were in his power to do so to-morrow,

he should endeavour to secure the confidence of the House of Commons without delay; but he would not make any public profession of what he would do if in office. He should certainly profess so far as this, that he should carefully review the circumstances of the country; and that, considering the existence of a deficit in time of peace to be an intolerable evil, he should make some effort to equalise the income and expenditure of the country; but at the same time, whilst he asked of the House of Commons a manifestation of its confidence and friendliness, he should ask to be allowed time to consider the circumstances of the country, and the best mode of applying a relief to the evils and distress complained of in it."

His belief was, that no particular cause could be assigned for the deficiency. He would not mix up with the questions before the House the larger questions of foreign policy, but he declared that he retained his opinions in respect to China, and he admitted that Government had been called upon to incur expenses in Canada. Still, making these allowances, the Ministers were responsible for the ills which had resulted from general mismanagement. The evil had occurred, not from want of individual ability, but because, as a Government, they had retained office when they no longer possessed the means of effecting the measures they knew to be necessary: because they had endeavoured to carry on their Administration in violation of the principles of the Constitution, which they had given him credit for acting upon in 1835. It was not for the interest of a representative Government that these things should continue. He thus stigmatised their tenacity of office:

"Sir, I cannot think it is to the advantage of the monarchy that the servants of the Crown should be retained when they are unable to carry those measures which, as the confidential servants of the sovereign, it is their bounden duty to bring forward. It is not the measures themselves (said sir R. Peel, addressing the Ministers) which you introduce that are injurious, but they lose the grace and favour of the public eye when it is believed that they do not spring from your deliberate will—are not formed in consequence of the deliberate convictions of your own minds; but are proposed merely for the purpose of propping up your falling fortunes, and conciliating the goodwill of a particular party, to whose support you look. (*Cheers.*) It is not, believe me, consistent with your own high character as public men, that you have made your present proposal. The public—I do not mean the needy and suffering portion of the people whose miseries you have affected to describe, but the intelligent, well-judging portion of the public—will hardly admit that you possess their confidence." (*Cheers.*)

Viscount Palmerston, on behalf of the Chancellor of the Exchequer, denied sir Robert Peel's charge, that he was fishing for a Budget: he had caught his Budget and laid it on the table: though, in doing so he had been charged with forgetting the duties of a Chancellor of the Exchequer, because he had proposed to supply part of the deficiency by relieving the people from some of their burdens. Sir R. Peel was mistaken when he supposed that *he* was asked for a Budget:

"What we required was this—and not even to-night has an answer been given to the challenge—'Tell us, aye or no, when we intend to supply the deficiency of the revenue by striking a blow at some of the great monopolies which have hitherto retarded the prosperity of the country—when you object on narrow and insufficient grounds to our particular proposal, tell us plainly, do you approve of making up the deficiency in the way we intend, or are you prepared to vote new taxes for the purpose?'"

Sir Robert Peel, he continued, had promised to give, with the utmost frankness, his opinions on the Corn, Sugar, and Timber questions; what then did his explanations amount to? With respect to Sugar, the only pledge he would give was, that for the next year he would not propose any change in the law. On the question of the Corn-laws he had avowed a preference for a sliding-scale over a fixed duty; but a sliding-scale might be a very slippery thing. He had not declared whether the sliding-scale would be one materially diminishing the present degree of protection or not. On the Timber duties he had been equally indefinite—pledging himself to nothing, until he should obtain the information which was now in the possession of the Ministers, and be put into the confidence of the Governor-general of Canada.

For his own part, he said, he remembered no great question which had ever been debated on such narrow grounds. The question was between free-trade—meaning thereby such a trade as opened the way to free competition—on the one side, and monopoly on the other—between reason and prejudice—between the interests of the many and the profits of the few. The Opposition had shrunk from grappling with this great issue, and had endeavoured to narrow the discussion to one collateral point, and to mislead the House and the country as to their real views by pretending an unbounded zeal for the welfare of the negroes. He distrusted the sincerity of this new-born zeal on the part of those who had themselves been parties to the sufferings of those negroes, and he ridiculed the inconsistency of excluding one kind of slave-grown produce and admitting others. Though we declined to take slave-grown sugar from the Brazilians ourselves, we did not scruple to assist their trade by acting as carriers in transporting their sugar to other countries, or by refining it for them. Was not the pretence of conscience under these circumstances a piece of gross hypocrisy? If indeed the Ministers had thought that their present proposition would give encouragement to the slave-trade, it would never have been made. The suppression of that traffic was to be effected in two ways—either by exercise of the utmost vigilance on the part of our maritime police, acting under treaties with foreign governments,—or else by the measures which foreign governments themselves might be induced to adopt. The measure now proposed would materially aid in both these respects. When the Whigs first came into office in 1830, the slave-trade was carried on to the greatest extent, chiefly under the flags of Spain and Portugal. The first thing which they did was to procure an extension of the treaty with those countries, and a new treaty with France. That was of no use, however, unless they could obtain such treaties

with every power in the world that had a vessel sailing on the ocean. In this work great progress had been made. He then entered into a summary of the negotiations which had been effected or were in progress with various powers, which, if successfully carried through, as there was reason to hope, would end in a combination of all the States in Christendom, with the single exception of the United States of America, in a general league for the suppression of the slave-trade. The last mentioned power had hitherto been deterred by the name of the right of search, not remembering the distinction that existed between such a right of search as that required for the prevention of slave-trading, and that right of search against which they contended in their war with us. With respect to Brazil and Cuba, were we to assert, as Viscount Sandon now proposed to do, that free-labour could not compete with slave-labour, we should be supplying them with the best of all arguments against complying with our demand for the abolition of the slave-trade, and falsifying all that we had said as to the advantages of freedom. On the other hand, those who on broad views wished to extend the principles of liberty, should desire all that could contribute to the welfare of England—

"As long as England remains preeminent on the ocean of human affairs, there are none, be they ever so unfortunate, none, be their condition ever so desperate or forlorn, who do not turn with a look of hope to the light that beams from hence. They may be beyond the reach of our power; still our moral sympathy and our influence can support them under their reverses, and hold out to them in the midst of their difficulties the hope of better days. But if by the assaults of her enemies or the errors of her misguided sons, England should fall, or her star lose its lustre, with her would fall the hopes of the Africans, whether on their own continent or in the great regions of America; and they would, for a time at least, be buried in despair. (*Loud cheers.*) I know no nation that is now ready in this respect to supply our place."

He would impose duties on foreign produce solely for the purposes of revenue. He did not wish to see the principles of free-trade suddenly and instantly applied to the derangements of established interests and the ruin of great numbers of individuals. He desired to go on with them as quickly and as straight-forwardly as circumstances would admit. It would not do to urge a more liberal commercial policy on foreign countries, telling them that competition is the light and life of trade, while we kept up our own restrictive system at home. Viscount Palmerston then pointed out in detail, from the results of his own official experience, the effect which our example in retaining high restrictive and prohibitory duties had exercised on the commercial policy of other states, inducing them to exclude the staple articles of British produce by high protecting duties, and to resist all proposals for a mitigation of their tariff until we should consent to a relaxation of our own. This was the effect produced by our commercial policy upon that of Germany, France, Belgium, Sweden, Russia, Mexico, and the United States. Foreign countries listened with polite incredulity to our representations, and pointed

from our theories to our practice.

Lord John Russell made a short speech in reply, and the House then divided on his motion, that the Speaker do leave the chair, which was negatived by a majority of 36—there being for the motion 281 ; against it 317.

Lord John Russell next moved *pro formâ* the resolution of which he had given notice as an amendment to Viscount Sandon's, but it was negatived without a division, and that of Viscount Sandon being carried, the House adjourned at a very late hour.

The expectations to which so serious and decided a defeat of the Government gave rise naturally produced a considerable excitement and gave rise to many rumours, which caused the House of Commons and all the avenues to it to be exceedingly crowded the next day, it being supposed that Lord John Russell would make a statement of the course which the Government intended to pursue. Great therefore was the surprise of all present when the Chancellor of the Exchequer rising in his place, with as much tranquillity of manner as if nothing had occurred out of the ordinary course of business, gave notice that on the Monday following in a Committee of Ways and Means he should move the *usual annual sugar duties*.

Expectation was still alive, and attention was fixed on the ministerial leader, when Lord John Russell rose and simply moved that the House at its rising should adjourn to the Monday following.

The Earl of Darlington then, with much energy said, that he had been relieved of all suspense as to the intentions of the Government; "itwas plain that they meant to stay in office—with a tenacity —he must be allowed to say—unparalleled in the history of governments, and with the deliberate decision of the House of Commons unequivocally declared against them ;" (*cheers and cries of order*) he demanded to know, "when did Lord John Russell intend to bring on the question of the Corn-laws ?"

Lord John Russell—"on Friday, the 4th of June."

The House then adjourned.

The design of the WhigMinistry was now obvious. To pass over in silence their recent defeat on the Sugar-duties—and having got the necessary supplies, to bring on a discussion on the Corn-laws, and dissolve Parliament while the free-trade agitation was at flood. The note of preparation for a general election was accordingly at once sounded throughout the country, and the work of canvassing speedily commenced. But the motions of the Government were keenly watched by opponents who were not disposed to let them so easily evade the consequences of their recent defeat. Intent on following up his victory at the earliest moment, Sir Robert Peel on the first day on which the House met after its temporary adjournment startled the Treasury Bench by giving notice that he should move on the ensuing Thursday (the 27th May) a resolution to the following effect.

"That her majesty's Ministers do not sufficiently possess the confidence of the House of Commons to enable them to carry through the House measures which they deem of essential importance to the public welfare ; and that their continuance in office under such circumstances is at variance with the spirit of the constitution."

After this announcement had been made, causing enthusiastic

cheering from the Conservative benches, a question was put by Mr. Walter relative to the intention of Government as to the Poor-law Act Amendment Bill, to which Lord John Russell answered, that it was not his intention to proceed with that bill this session. Considerable sensation was excited by this announcement. He afterwards said, that he did not think it practicable in the present state of public business to carry the Bill, and he feared that many motions and speeches would be made upon it with a view to the hustings alone; but he desired to be understood as having in no degree changed his opinion upon the principle of the measure.

The Chancellor of the Exchequer then moved, pursuant to notice, the usual resolution for continuing the annual Sugar-duties. The motion found an unexpected seconder in Sir Robert Peel, who quoting the commencement of Viscount Sandon's resolution against the admission of foreign sugar, observed that after concurring in that, he could have no intention to refuse the duties on the free-labour sugar of our own colonies, and should therefore offer no resistance to the present proposal. He did not desire to stop the supplies; being of opinion that the question at issue between the Ministers and the Opposition might be more conveniently tried upon a motion of want of confidence.

After some strong observations upon Sir Robert Peel's policy by Sir de Lacy Evans and Mr. Hume, Lord John Russell observed that Sir Robert Peel did right in not reading that part of Viscount Sandon's resolutions which went on the grounds of humanity. Every one knew that this was a mere pretext, and it had taken in no one except Dr. Lushington. He then took occasion to correct some misrepresentation of his former speech on the sugar question. And after a few words from Mr. Wakley, who disavowing all regard to the distinctions of Whig and Tory, promised to give his support to Sir Robert Peel, if he would promise larger concessions to the people than the Whigs, the Chancellor of the Exchequer's resolution was agreed to.

In the House of Lords at the same time some animated discussions upon the Corn-laws, though merely desultory, and arising upon the presentation of petitions, served to keep up the public excitement on that subject, while public meetings in all parts of the kingdom, at which the partisans of free-trade and protection respectively stirred up the feelings of their several adherents, gave note of the contest that was approaching. The newspapers began to be filled with details of arrangements for the expected elections, and announcement of candidates for the various constituencies. Such was the highly-wrought state of the public mind at the time when the resolution of Sir Robert Peel, which was to decide finally whether the Ministers retained a majority in the House of Commons, came on for discussion. The debate, however, to which it gave rise, and the consequences which ensued upon it, must find a place in the following chapter.

CHAPTER VI.

Debate on Sir R. Peel's Resolution of Want of Confidence in the Government—His Speech in introducing it—Citation of historical Precedents—Distinction drawn between the present case and that of Mr. Pitt, in 1784*—Speeches of Mr. Christopher, Sir James Graham, Sir William Follett, Mr. Serjeant Jackson, and Lord Stanley, in support of the Resolution—Speeches of Lord Worsley, Sir J. Hobhouse, Mr. Macaulay, Dr. Lushington, Mr. Handley, Mr. O'Connell, Viscount Morpeth, and Lord John Russell, in defence of the Government—Division and Majority of one in favour of the Motion—Lord John Russell states the course determined on by the Ministers—He declares their intention to dissolve Parliament at once, without a discussion on the Corn Laws—His proposal respecting the Estimates—Speech of Sir R. Peel—He demands a pledge that the new Parliament shall be convoked at the earliest period—Lord John Russell undertakes to this effect—Speeches of Mr. Wakley, Mr. Villiers, Mr. Labouchere, the Chancellor of the Exchequer, Mr. Herries, and Mr. Goulburn—The Estimates are voted without opposition—Subsequent proceedings in the House of Commons—Preparations for the Elections—A large number of Bills in progress are abandoned: some others carried—Administration of justice in Chancery Bill—Sir E. Sugden proposes to postpone its operation till the* 10*th of October—Object of this Motion—Lord John Russell strongly opposes it—It is supported by Sir Robert Peel, and carried by a majority of* 18*—Lord John Russell throws up the Bill—Remarks of Sir D. Evans on the conduct of the Opposition—Speech of Lord Stanley — Observations of Sir Robert Peel on the transaction—Parliament prorogued by the Queen in person, on the* 22*nd of June —Address of the Speaker to Her Majesty—The Queen's Speech—Proclamation issued for the Dissolution of Parliament—Review of the Session—General Remarks.*

SIR ROBERT PEEL introduced his resolution of want of confidence in the Government, with a speech of great length, and marked by his usual ability. He commenced by saying, that after the repeated defeats of the Government, indicative of a withdrawal of the confidence of the House, and of their inability to give effect to measures which they deemed important to the public welfare, and after the Chancellor of the Exchequer's notice, unaccompanied by any explanation, that it was still his intention to proceed with the public business, he felt it was incumbent upon him to bring the question thus at once to issue, and instead of doing so by any side-

blow, such as stopping the supplies, or obstructing some important bill, he preferred settling the controversy in this open and direct manner. His resolution affirmed two propositions—the first of which was, that the Ministers did not sufficiently possess the confidence of the House to enable them to carry measures which they deemed of essential importance to the public welfare. Was it necessary for him, looking at the whole continuous course of their legislation, to adduce detailed proof of that proposition? If this were incontrovertible, then the second proposition would necessarily follow, that their continuance in office was at variance with the spirit of the constitution, such as it had been ever since the accession of the House of Hanover. In affirmance of his view he could cite the authority of every important writer, and the practical course of every Administration. He began with Sir Robert Walpole. That minister had held office for a period of twenty-five years. A motion was made by Mr. Pulteney, which implied a withdrawal of the confidence of the House. This was defeated by a majority of 3. But subsequently Sir R. Walpole, finding himself in a minority upon the Chippenham election, notwithstanding the slight majority on the question of confidence, relinquished office. In the year 1782, Lord North, after he had defeated two resolutions of want of confidence, though by but small majorities, yielded to what he felt to be the sense of the House of Commons, and resigned. In the year 1804, Lord Sidmouth, finding his majority reduced to 37, thought it his duty to retire. In 1812, a majority of four upon the motion of Mr. Stuart Wortley was decisive of the fate of Lord Liverpool's Administration. The next Administration which yielded to the force of public opinion, was that of the duke of Wellington in 1830. Being defeated by a combination of parties entertaining opposite opinions, on a motion to refer the Civil List to a select committee, that Ministry retired from office. The last case was that of his own Administration, in 1835. The first time that he found a positive obstruction presented to any act of legislation, he had felt it his duty to resign. For some time previous to his retirement, Lord John Russell was day by day referring to what he called "the old constitutional doctrine," that the Government ought to possess the confidence of the House of Commons, and as soon as he carried a resolution, that no adjustment of the Irish Tithe question could be satisfactory, except the one he advocated, he (Sir R. Peel) gave up the reins of power.

In his enumeration of precedents he had omitted one, that of Mr. Pitt, in 1784. As this case was relied upon by the Whig party, as affording a justification of their course, Sir Robert Peel entered into a minute recapitulation of all the circumstances connected with the transaction. He pointed out the distinction, that in Mr. Pitt's case the resolutions, repeatedly carried, by which the House of Commons disaffirmed their confidence in the Ministry, were previous to any one act of his Government being submitted to the House of Commons. After stating the facts, he thus deduced the inference:

"The objection, then, to the continuance of Mr. Pitt in office,

was not that the confidence of the House of Commons had been withheld from the measures he produced: there were surmises, there were allegations, that Mr. Pitt owed his power to the exercise of undue influence—that the king's name had been made use of for the purpose of influencing elections. Resolutions were affirmed implying objections, not to the acts of his Government, but to the principle on which it was constituted; and the battle which Mr. Pitt was then fighting was not in opposition to the principle that a Minister ought to have the confidence of the House of Commons for the purpose of carrying on the Government, but Mr. Pitt contended that Mr. Fox, having a majority in the House of Commons, was attempting to control the constitutional prerogative of the Crown; and, without reference to attempts at legislation, without reference to public acts of the Government, was denouncing that Administration, and implying beforehand the want of confidence in it. Is the present, I ask, a case at all analogous? Am I obstructing the course of a Government at its first formation? am I depriving it of the opportunity of submitting its measures to the consideration of Parliament?"

He then quoted the opinions of a series of high constitutional authorities upon the point, reading passages from Mr. Burke and Mr. Fox, and from the writings of Lord John Russell himself. He would refer to three events in the history of the present Administration, which peculiarly illustrated the evil of attempting to govern without possessing the confidence of the House. The first was the Appropriation Clause, which, after so much excitement, the Ministers finally abandoned. The next was the Jamaica Bill, on which these Ministers themselves expressed a strong practical opinion of the unfitness of retaining office without the confidence of the House. He referred to the language of Viscount Melbourne on this subject. The third case was the recent Budget. After the importance attached to that measure—after the ministerial declaration that it was to be considered as a whole—was it becoming in the Chancellor of the Exchequer to move, without a word of explanation, the renewal of the usual Sugar-duties? Was this for the credit of the House of Commons? It might appear, that the strength of the Crown's prerogative would support the Ministers against the House of Commons; but this was a superficial view. The interests of the House of Commons and of the Crown were identical; and you could not intrench upon the one without injuring the other. They might perhaps say, with Mr. Pitt, that if they had not the confidence of the House, they had the confidence of the country; but it had been well said by Mr. Fox, that the sense of the country could only be constitutionally evidenced by the votes of its representatives. So far, however, as any proof was afforded by popular elections, of those which had recently occurred a large majority had gone against the Government. It was pleaded that they intended to appeal to the people: in answer to this allegation he thus expressed himself:

"I know nothing whatever upon that subject: as a Member of the House of Commons I can have no evidence of the intention of the Crown. I know you have the

power at any time of dissolving; I know that you can choose the most favourable time for dissolving: no doubt that is the prerogative of the Crown—a prerogative of a delicate nature, with which it is difficult for the House of Commons to interfere. But I shall have no additional confidence in you, if, after exciting the public mind upon such a subject as that of the subsistence of the people, you intend to take that opportunity of dissolving Parliament and appealing to the people on that question. I firmly believe that you are not advancing, by that course, the interests of the Monarchy of which you are the advisers."

He pointed out the inconsistency of abandoning the Poor-law Bill on the ground that it would lead to protracted discussion without any result, and to speeches made for the hustings rather than for the House, while they persevered in announcing a discussion upon the Corn-laws, which must be equally without result and still more conducive to agitation. He believed that their weakness was the main cause of all their embarrassments. The Post-office revenue had been given up to conciliate those of their friends who had shown a disposition to secede on the Jamaica question, and he believed it to be the same sense of weakness which had suggested the new schemes for the removal of protection upon sugar and timber. He briefly indicated his doubts as to the policy which had recently governed our foreign relations, especially as to China and France, but repeated his reliance upon constitutional principle as the main ground of his motion. He had been asked to bid against the Government for popular favour. He would do no such thing. He had on various former occasions expressed his opinions upon all the great constitutional questions of the day—upon ballot, extension of suffrage, duration of parliament, &c.; but he would not now prematurely throw out opinions upon temporary questions of finance. To show that his conduct had been uninfluenced by party-spirit, he referred to the support which he had repeatedly lent to rescue the Ministers from impending defeat, and to instances in which he had differed from many of his own friends, whom he was proud to see still retaining their confidence in him; especially to the question of parliamentary privilege. In conclusion he said, that the present House of Commons had been elected under a new constitution, of which Lord John Russell was the author, and under the auspices of his Government. If it had upheld the Ministry, they would have insisted on the reverence due to it; now that it declined to sanction their policy, it was equally their duty to respect its decision.

The debate which ensued lasted for five nights, being interrupted by the intervention of the Whitsun holidays after the second night of the debate. A great number of speeches were delivered on both sides, but, speaking generally, the character of the discussion was by no means of a high order for ability or eloquence. A summary of the arguments of a few of the principal speakers will furnish a sufficient sample of all that is really worth preserving in the debate. The nearly balanced state of parties caused additional interest to be felt as to the course which might be taken on this occasion by those Members whose strong attachment

to the interests of agriculture on the one hand, and their accustomed support of Whig policy on the other, seemed to place them in an embarrassing dilemma, when called upon to pronounce an opinion on the confidence due to a Ministry, which threatened an inroad upon those laws which they, in common with many others, regarded as essential to the protection of the farmer. This was the situation of Lord Worsley, one of the Members for Lincolnshire, and a warm advocate of the agricultural interest. His views, however, were not long left in doubt. He rose next after Sir Robert Peel, and in a few words declared his resolution to oppose him on the question. Although he had voted against Ministers in the late division, he would lend his aid on the present occasion to keep them in office; but he should not support their proposal respecting the Corn-laws. Approving their general policy, he thought himself guilty of no inconsistency in the course he was now taking.

Mr. Christopher, the colleague of Lord Worsley, expressed his astonishment at the speech of that noble Lord, who, at the late important meeting of his constituents, had distinctly declared, that as the Government were endeavouring to overthrow the agricultural interests, he was prepared to assist in the overthrow of the Government. Lord Worsley's only qualification of that statement had been, that he would not go the length of supporting Sir Robert Peel on his expected succession to office. But not a man had left the Lincolnshire meeting, without a full conviction that it was Lord Worsley's intention to assist in the removal of the present Government. Yet now Lord Worsley was the man to volunteer his services in favour of the Anti-Corn-law administration.

Sir J. Hobhouse, after attempting to vindicate Lord Worsley's consistency, recapitulated the measures which, in spite of the late King's aversion, and the opposition of the House of Lords, the Ministers had succeeded in carrying. These were the English and Scotch Municipal Reforms, the Registration of Births, Deaths, and Marriages; the Irish Tithe; the Rural Police; the Reduction of the Postage; the Irish Municipal Reform; the Ecclesiastical Duties and Revenues Bill; and the Union of the Canadas. During the same period, they had conducted the foreign affairs of the country in a manner which had acquired the highest honour throughout Europe to his noble friend, Viscount Palmerston. They had, therefore, until the present month, been actually able to carry their measures. It was true, that Sir R. Walpole had finally yielded to the House of Commons; but when he was gone, it was felt that his conduct had been in the spirit of the constitution. Sir R. Walpole, however, had before been beaten on his great financial measure of the Excise, and yet had not then resigned. Undoubtedly it was true, that a Government ought not to hold office against the House of Commons; such a Government was no Government at all. Mr. Pitt had been defeated eleven times; yet he had persevered, and appealed to the country. It was said that the Government knew they could not carry the repeal of the Corn-laws. The same thing was formerly said of the laws against the Roman Catholics; yet

those laws had been repealed. Perhaps the day would come when those who had repealed the laws against the Roman Catholics would repeal also the laws against the Importation of Corn. Gentlemen complained of Government for creating agitation on the Corn question. If the question created agitation, the blame was not with the Government. Sir Robert Peel found fault with Ministers for their Budget; but he did not state what he would do himself. Sir J. Hobhouse then observed upon the diversities of opinion which had formerly prevailed, between the united forces opposite to him, upon various questions, such as Catholic Relief, and Parliamentary Reform. Their leader's public life, too, had been such as had not obtained for him the confidence of the people. He had generally resisted improvements at first, and subsequently, but too late, had yielded to necessity. There was no prospect that any change advantageous to the country could be wrought from the existing materials. He was satisfied that the present Ministers had done their duty in propounding their recent measures; and that ere long, whatever the fate of those Ministers might be, their measures would be the law of the land.

The next speech which deserves particular notice was that of Mr. Macaulay, who joined issue with Sir Robert Peel on the constitutional doctrines which he had laid down. He observed, that the right honourable Baronet had now departed from his usual cautious reserve, which generally made him avoid the enunciation of any general principles. He had now laid down a general proposition, but it seemed to him (Mr. Macaulay) very indiscreet formally to pronounce upon the spirit of the constitution. It must be evident that, if the assertion that this or that course was inconsistent with the spirit of the constitution were placed on record in the journals of that House, and the principle should prove fallacious, the House might nevertheless consider themselves bound to act in conformity with their recorded opinion, and the greatest inconvenience might ensue; for it could not but detract from the character of that House, if, on after-consideration, they felt called upon to declare that which they had pronounced to be the spirit of the constitution null and void. Indeed Sir Robert Peel's principle might be reduced *ad absurdum*, by showing that what he pronounced contrary to the spirit of the constitution might be inevitable.

There were 658 Members in that House; what security was there in the constitution of this country against a state of things in which 320 members of that House might be found strong and zealous Tories; and, on the other hand, 320 equally strong and zealous Whigs? Between these two great parties, it might be supposed perhaps that seventeen or eighteen could be found adverse to the strong opinions entertained on either side of the House, and equally inclined to interpose obstacles to any measure originating with either party. Under these circumstances, how could the Government be carried on? The case supposed was neither impossible nor improbable; it had actually occurred: Government and the opposite party in the House each entertained in Irish affairs a policy diametrically contrary, and had each proposed to give effect to their policy in a bill;

while a small section of the House had voted alternately against each proposition and defeated it. He thought that Sir Robert Peel confounded two very different kinds of confidence which might be wanting. Mr. Macaulay's principle was this: he held that it was the first business of a Minister of the Crown to administer the existing laws; and if the House of Commons did not confide in the mode in which he did so, there remained but one constitutional alternative—either to retire from office or dissolve the Parliament. But he denied that that want of confidence which prevented a Minister from carrying new measures, or measures for the alteration of existing laws, could be regarded in the same light. With the exception of the Reform Bill, there never, perhaps, was a measure of greater importance brought into parliament than Viscount Sunderland's Peerage Bill—a bill which was recommended by George 1st, which passed the House of Lords, but which was rejected in the Commons by an immense majority. Did the ministry resign? No: nor did any one attempt to say that, in not resigning, they had acted unconstitutionally. When, in 1786, Mr. Pitt was beaten upon a resolution which he proposed, to the effect that the fortification of certain dockyards was an object of essential importance to the safety of this country, what did he say? Why, that he submitted to the defeat as the decision of the House. Mr. Tierney and Mr. Ponsonby did not think of calling upon the Government to resign when defeated upon the question of a property-tax—a larger financial measure than that relating to the sugar question.

These were instances before the passing of the Reform Act; but that measure had effected a considerable change, for since that measure defeats of a Government had become matters more frequently to be expected. If, therefore, this abstract resolution should pass, and Sir Robert Peel succeed to power, there would be few months of the year in which he would not be disagreeably reminded of his own precedent. Now as to the second part of the question. He thought that, up to this time, the Ministers had been justified in retaining office. He would not dwell on foreign affairs, but at least he might say, their foreign policy had not been that of a weak Government. At home there had been alarming disturbances, and the Government had suppressed them, without any new legislation, by the old constitutional law. Another difficulty had been in the Administration of Ireland; and on this head the Government, but two years ago, received a direct vote of approbation from the House of Commons. He admitted, however, that a crisis had now arrived. A deficiency had occurred, which must be supplied; and the question raised by Ministers was, whether the House would supply it by burdening or relieving the country. He certainly thought that Ministers were bound to stand or fall by the principle they had advanced. The humanity cry had wholly failed; the people's minds were so far disabused; and he considered it the duty of her Majesty's servants to retain their power until the people's genuine sentiments could be ascertained.

Viscount Morpeth admitted the moderation of Sir Robert Peel's speech, and regarded the resolu-

tion not as being factious, but only illogical and historically incorrect. It was a squib, to divert the Tories from more dangerous sport—a sedative to cool their blood. It might be that the present Ministers were wrong in not resigning, after several defeats in a space of six years, and that Sir Robert Peel was right in not resigning, after a nearly equal number of defeats in a space of three months, unbroken by any success, except on the malt duties, on which the Whigs had supported him. It must, however, be acknowledged that, since the defeat on the Sugar-duties, the Ministers had no longer a position enabling them to carry their measures in the House of Commons. Were they, therefore, bound to resign in the next hour? Mr. Pitt, under circumstances generally similar, had not resigned, and Sir R. Walpole's resignation had not arisen from any parliamentary defeat. It could make no difference, upon the strict constitutional view, whether the Parliament were chosen under the same or another minister, for no influence whatever of ministers was recognised by the constitution; and he did not think it repugnant to constitutional principles that the ministry should appeal from Parliament, though called under its auspices to the general sense of the country; especially on measures which there was reason to believe would be gladly and warmly received by the constituent body. Sir Robert Peel had twice lectured the House against agitation, but his (Viscount Morpeth's) opinion was, that the country was safest when those whose position made them the fittest leaders of the popular cause were willing to put themselves at its head, and guide the agitation in the least dangerous channel. The Government had now proposed important measures, which Parliament gave evident signs of disapproving; surely it was competent to them then to make the regular constitutional appeal to the people. If they should find themselves in a minority after the new elections, then undoubtedly it would be culpable in them to attempt the retention of office any longer. It was said, that no intimation of intention to dissolve Parliament had immediately followed the late defeat; but the notice of the annual Sugar-duties, and the abandonment of the Poor-law measure, were plain tokens of such a design. To have spoken more plainly at first might have seemed to savour too much of menace. The purport of those resolutions was obviously to negative the confidence of the House in the present Ministry. A deficiency had taken place in the public revenue, and instead of temporary makeshifts or fresh burdens, they had proposed measures tending at once to recruit the coffers and extend the commerce of the country. The Opposition had produced no counter-plan. They would allow no importation of foreign sugar, they would effect no change in the Timber-duties, till they had intelligence from Canada, and they would make the sliding-scale of Corn-duties perpetual—

"Labitur et labetur in omne volubilis ævum."

The noble Viscount then proceeded to pass an eulogium upon the Administration of several of his colleagues, individually applauding in succession the labours of Lord John Russell, Viscount Palmerston, the Marquess of Normanby, and the Irish department. Power

might pass from their hands; he hoped it might prosper in the hands of their successors; but at all events the Ministers, he thought, had done their duty.

Sir J. Graham began by observing, that power *had* already passed from the hands of the Ministers; the successful administration for which Viscount Morpeth had taken credit was really the work of the Opposition. As to the colonial prosperity, it had really been owing to the Conservatives, who had saved Jamaica and the Canadas. The results of the foreign policy, too, had been rather prematurely extolled, particularly with reference to China, where success would be unattended with glory, and failure would be the heaviest of misfortunes. In all the cases in which the Government had been successful in this Parliament, they had so succeeded by the support of their opponents, who in truth had been the authors of many of those measures. He excepted the change in the Post-office, against which the Postmaster-general had prophetically warned his colleagues, and of that measure he now very frankly wished them joy. Their Church-rate measure they had abandoned; their measure of education without religion they had abandoned; their measure respecting Irish railways they had abandoned; the same fate had attended their several Irish Registration Bills, their several Bills of Registration for Scotland, and their bill for the Reform of Ecclesiastical Courts in England. Now as to the Poor-law, the settlement of which they had delayed in former sessions. In the present year a bill, the late fruit of the deliberations of Government, had been at length produced, and it might have been expected that such a bill would include all the mitigations which experience had warranted. On the contrary, it appeared to have been framed upon the principle of asking for all the severity possible. But had the Government shown power to effectuate that severity? On the contrary, they had been defeated in, or frightened out of almost every position they had taken, and now the noble Viscount had availed himself of the perplexed state of public business to abandon the measure altogether. Such were the results produced, partly by the neglect, partly by the impotence of Government. Sir James Graham then proceeded to expose the inconsistencies of Lord Worsley's speeches and votes. Another member, Mr. Handley, had professed that, so far as in him lay, the question of the Corn-laws should never be brought forward as a Government question. The Government had avowed that they had deferred the dissolution till they could so bring the Corn question forward; and now it would be seen whether Mr. Handley would support them, and, if he should do so, whether Lincolnshire would be able to understand his distinctions. Whatever might be the result of the present motion, it would have had this good effect, that it would decide or accelerate a dissolution, which before seemed exceedingly remote and uncertain. Even now, however, the period of that dissolution, which formed the only excuse of the Government for retaining office, was not very clearly fixed. Even now he saw no security, without this vote, that the Ministers might not wind up the session, and prorogue without dissolving Parliament. That indeed was the course openly recom-

mended last night by Mr. Hobhouse, the near relation of a Cabinet Minister, who probably possessed that Minister's confidence. In answer to those Whigs who relied on Mr. Pitt's precedent, he cited the severe censures passed upon the conduct of that minister by Mr. Fox. The ministerial party had demanded to know how the opposition proposed to proceed. Now he did not much value the skill with which the Ministers played their game, though he admired the sleight of hand with which they shuffled the cards; but at all events they had no right to look into their adversaries' hands. Sir J. Graham, in conclusion, animadverted with much severity on the inflammatory declarations made in former debates by Lord John Russell and Viscount Morpeth, and likened their tactics of agitation to the ancient stratagem of turning out 300 foxes with torches fastened to their tails. He concluded with an animated philippick against the general character of the Ministry.

Dr. Lushington, though he wished to be understood as reaffirming all he had said in the debate on the Sugar-duties, yet declared himself resolved to support the Ministers on this occasion, in common with Mr. Byng, Mr. Denison, and other old Whigs. He denied the applicability of some of the precedents which had been cited against the Ministers, and relied on that of Mr. Pitt. He was not of opinion that Members disapproving a particular measure of this Ministry, were bound to assist in bringing in a Ministry whose general policy they wholly disapproved. If the Opposition should obtain power, he should look with especial anxiety to the management of Ireland, to the interrupted relations of our friendship with France,—to the question of general education,—to the circumstances of the population in our colonies. He deprecated strong language in discussion, and regarded the present crisis as one peculiarly requiring calmness of consideration. He adverted to the existing distress of the manufacturing districts, and observed that no plan but that of the Ministers had been suggested for its relief. This would probably be his last address to the House (the late Admiralty Bill having excluded the Admiralty judge from a seat in the House of Commons), but he should quit that assembly adhering to his party principles, and leaving, among many political opponents, not one, he trusted, who was a personal enemy.

Sir W. Follett asked, why Dr. Lushington, in citing the names of the old Whigs who adhered to the Ministry, had not vouched that of Earl Grey; was it not that the noble Earl, the head of the party, condemned the conduct of that Ministry? He admitted that the Ministers had a right to dissolve; but not a right to remain in office without dissolving, in order to moot a question upon the food of the people, which they admitted that they had no expectation of carrying, but which they stirred for the mere purpose of excitement. It was precisely to avoid such excitement that the Ministers had thrown aside the Poor-law Amendment Bill; but then the Poor-law excitement would have been injurious to their party interests, which, on the contrary, they thought the Corn-law excitement would promote. He condemned the democratical language employed by Mr. Macaulay, as

tending to array one class of society against another. The people, he believed, would not willingly lend themselves to such an agitation for the purpose of keeping the Ministers in place. Those Ministers had never been able, since their Jamaica Bill of 1839, to carry any legislative measure without the concurrence of the Opposition. The precedents relied on had no bearing upon a Ministry which lay under a *continued* and *permanent* inability to carry any legislative measure whatever. There might be extreme cases, in which a Minister might retain office for a while against a majority of the House of Commons; but such a struggle could not be protracted long without serious danger to the Crown, and it must be a struggle for a great principle. But what was the great principle upon which those Ministers had been remaining for the last two years in office? Certainly not the repeal of the Corn-laws and other protections, for of this the country had never heard till a month ago. Sir Robert Peel, when in office, though he had with him the Crown, a great majority of the House of Lords, and a powerful party in the House of Commons, yet tendered his resignation on the first check which he encountered on a legislative measure. The Whigs themselves, too, had resigned upon the Jamaica Bill; whether they were justified in immediately resuming office he would not now inquire, but if that step were justifiable as an experiment, at all events its results had most signally failed. Then came their concession on the Ballot, which up to that time they had so earnestly opposed; but they had become weaker, and so gave way. Viscount Melbourne, the head of the Government, had declared last June, that none but a madman would attempt a certain specified change in the Corn-laws, yet that very change Viscount Melbourne's government now proposed to make. Viscount Melbourne had said, it could not be made without stirring society to its very foundations; yet this stir they were now hazarding, confessedly without a hope of carrying their plan or of raising from it any income that could meet the financial deficiency. Such was the great public principle on which they were retaining office.

Sir G. Grey contended, that whereas Sir Robert Peel had asserted the absolute obligation of the Ministers to resign, Sir W. Follett had qualified that obligation, by admitting their right to the alternative of dissolution. He could understand the objection to such meetings as that at Stroud, where Chartists came in aid of Conservatives, but not the objection to a regular and dignified discussion of the Corn-laws in the House of Commons, unless on the ground that such a discussion might be inconvenient to Gentlemen opposite. The question being merely whether the dissolution should take place before or after a discussion on the Corn-laws, he believed that the public in general would expect that a discussion of the Corn-law should precede a dissolution. He wished for some comparison between the claims of the two parties to power. He wished to know what measures the Opposition had introduced, to show their new love of liberal principles, except the Irish Registration Bill. The House might vote a transfer of power from this Government to another, but let them beware how they thus forfeited the confidence

which the representative body ought to enjoy from its constituents.

Mr. Handley begged to reply to the lecture which Sir James Graham had been pleased to read Lord Worsley and himself on political consistency. He had never said, as had been asserted, that, if it depended on him, the Corn question should never be brought forward as a Government measure; he had only said, in denying the assertion, made in the newspapers, that he approved of the Corn-law measure, that if it depended on his vote, Mr. Baring would never have an opportunity of bringing it forward. Mr. Handley then retorted severely upon Sir James Graham, quoting against him the reasons which he had given to his constituents in 1835 for not joining Sir Robert Peel's Ministry. He said that if his constituents should reject him (Mr. Handley) as had been intimated, he should at least have the satisfaction to feel that he was discarded for being true to his principles, while Sir James Graham had been turned out of his seat for Cumberland for being false to his. With reference to the interests of agriculture which had been so much alluded to in the debate, Mr. Handley avowed that he had no confidence in the protection expected from Sir Robert Peel. The right honourable Baronet had said to the House, "Look back to my speech of last year; by that I am willing to abide." Now he had listened to that speech with the utmost attention; and he remembered conferring, after the debate, with some friends of his who were supporters of the right honourable Baronet; and they had most completely concurred in this, that never had the right honourable Baronet made a speech so full of reservations, so interlarded with "buts," and that there was no word in the speech which pledged the right honourable Baronet to any thing, except the cuckoo-note of "I feel myself called on to express my predilection for a sliding-scale;" and then, turning round to the ever-ready cheer of his admiring friends, the right honourable Baronet added, "but as to details, I shall reserve to myself the right of dealing with them as I think fit." Why, a sliding scale was but the skeleton of protection, without specifying those details which formed the pith and marrow of the question. He could give the right honourable Baronet a sliding scale, if he wished it, which would have the practical effect of a very low fixed duty. He asked whether he fixed the pivot of his scale at 70*s.*, 60*s.*, 50*s.*, 40*s.*, or 30*s.* a quarter? Where was the vanishing point at which the duty was to cease? He called on him to give the House some more satisfactory information than he had yet done, especially as in his speech the other evening he had made use of a sentence which fell with omnious import on the ears of the farmers of England—"The prosperity of manufactures is a greater support than any Corn-law." The question to be answered was simple enough—did Sir Robert mean to continue to the farmers of England their present protection? For himself, he said, he was not prepared to take the bait held out in sir Robert Peel's political rat-trap. What did the right honourable Baronet intend to do with Ireland? and what would he have thought of him (Mr. Handley) if he had left his friends on such an occasion as this? He could not, however, insist on an

answer to this last question, for that might be painful to some of Sir Robert Peel's present friends.

The principal Irish Members who addressed the House were Mr. O'Connell, Mr. Serg. Jackson, Colonel Conolly, Mr. Sheil, Sir W. Somerville, and Sir D. Roche.

Mr. O'Connell said, that the real question, was, who should hold the reins of office? Why were they to be transferred to other hands? In what past instance could the Tories affirm that they would have excelled the Whigs? Not in their foreign, not in their colonial policy; not in their administration of English affairs, still less of Irish. The present Ministers had assumed no unconstitutional powers, although in troubled times. The accession of their opponents would hold out a gloomy prospect to Ireland. She could not hope that the Tories would amend the Municipal Bill; or make a just alteration as to the property of the Church. The tendency of the people to outrage would be exasperated by the apprehension of adverse juries, judges, and sheriffs, under a new Ministry. Sir R. Peel had governed Ireland as Secretary some years ago, and governed her upon Orange principles; he had even gone so far in 1814 as to declare, in his vindication of the Orange party, that their only fault was the exuberance of their loyalty. The judges likely to be appointed under Sir R. Peel's Administration would be the exterminators of the peasantry and the enemies of toleration. Sir Robert Peel could not help taking that course, for if he did not support his party, his party would not support him. The Chartists were now friendly to the Tories, but would soon be rendered hostile and violent by disappointment, and tumult would follow. For his part and his friends, he would say, that they disdained the base aid of that squalid party. The country was in distress, yet the Tories refused cheap bread. They also refused cheap sugar, having now found out that they were enemies of slavery, although, like the citizen in Moliere who had all his life been unconsciously speaking prose, they had never before suspected themselves of such a tendency. He protested against a change of Government. To support the present Ministry was the only chance of giving efficacy to the Reform Bill.

After a few words from Mr. Lindsey, Mr. Sergeant Jackson rose. He attacked the irrelevancies and misrepresentations of which, he said, Mr. O'Connell's speech had been made up. That member had boasted of the even-handed justice distributed by the present Ministry to Ireland. The present Ministry professed to discourage the Repeal agitation, and to exclude Repealers from honours and offices. Yet they suffered Mr. O'Connell himself, and several other members of the Repeal association, whom he enumerated, to be deputy-lieutenants, or justices of the peace; and these were the Ministers who had removed Colonel Verner from the Commission for simply being present at the drinking of an obnoxious toast. Mr. O'Connell had imputed bribery to the Tories, and claimed credit to his own partizans for perfect purity. That statement was refuted not only at St. Alban's and other English boroughs, but by the gross attempts at corruption now proceeding throughout Ireland, on behalf of the Ministerial party,

both in money and in promises of official patronage. The learned member had stigmatised the Irish landlords as oppressors of their tenantry. He believed the learned member was not very lenient to his own tenants. The learned member was in the habit of attributing the state of Ireland to the harshness of the landholders. Had he not himself, in April, distrained for rent due only on the 25th of the preceding March? The learned member had been in the habit of attacking the absent, this question, as to himself, was put openly in his presence. The causes of evil were not the oppresions of the landlords, but the agitation of Mr. O'Connell and his followers, and the misgovernment of the Queen's Ministers in the castle of Dublin. One truth the learned member had uttered,—that the English people did not know Ireland. If they had known Ireland and the learned member, not one of them would have lent his aid to such a state of things as now existed. As to the resolution before the House, he admitted that a Ministry might constitutionally appeal from the House to the country, if the House did not speak the sense of the people. But could this be the case with the present House, chosen under this Ministry? and under their own Reform Act? Mr. Macaulay had endeavoured to set up a distinction in favour of the Government where its defeat was not upon an administrative but merely upon a legislative measure. But had not their Jamaica bill defeat been a merely legislative one? Nay, it was but a constructive defeat, for they had then a majority of five; yet they took the voice of the House on that occasion as conclusive against themselves. They had now advanced a measure of free-trade. Had it been concocted with an intention and expectation of carrying it? No; but as a resource in awkward times; as a tub to the whale. Sometimes the expedient was to make the Ballot an open question, sometimes to abandon the Post-office revenue, sometimes to establish free-trade in sugar, timber, and corn! The Government had been brought into difficulty by the Irish Registration Bills, and therefore only was it that this free-trade legislation was now advanced,

In explanation of the charge made against him by Mr. Sergeant Jackson, Mr. O'Connell said, that all his lands, except one farm, were underlet, and that he never turned out any tenant. If any such distress had been made, as was now imputed, it had been done by his agent in his absence, and without his knowledge.

Lord Stanley was surprised at the unseemly line of defence assumed by the Ministers. They did not deny the first clause of the resolution, which described them as wanting the confidence of the House: they admitted this proposition, and denied only that which in any other times would have been a mere corollary from it, that under such circumstances they ought not to retain their offices. Sir John Hobhouse indeed had pleaded, that there were some measures which they had been able to carry; but sir James Graham had shown, in answer to that, that of the measures so enumerated, there was not one upon which they had not been supported by the Opposition, nay, which had not been borrowed from preceding Governments, from that of Earl

Grey, and from that of Sir Robert Peel. On all those measures of the Ministers on which they had not been supported by the Opposition, they had signally failed: every such measure had, as Sir James Graham had shown, been either rejected by the House or abandoned by its authors. But they did not even possess the confidence of their own supporters. They had been aided a dozen times by the Opposition in defeating their own political adherents. He would state some instances. The Ballot was negatived in 1838, by 315 against 198; but to this majority the Conservatives were obliged to furnish no less than 250. In 1839, Mr. O'Connell's motion to assimilate the Irish franchise was supported by 92, and opposed by 155; of whom 106 were Conservatives. Mr. Hume's motion for the amelioration of the Reform Act was negatived by a majority of 85; of whom 56 were Conservatives. In June, 1839, Sir Hesketh Fleetwood brought in a bill to alter the qualifications of voters in townships: it was supported by 81 votes, and 168 Conservatives helped 39 Ministerialists to reject it. Such was the evidence that they had lost power, but in the face of that evidence they now ventured to say, that they ought not to give up office. But Sir John Hobhouse had set up the plea that still the Ministry had the favour of the Crown, which after all was the best support. He was surprised to hear such a sentiment. A more dangerous doctrine could not be appealed to by the Minister of a sovereign of the house of Hanover. Of the personal favour of the Crown they knew nothing in that House, and ought to know nothing; and, deep as was the crime of that Minister who sought to abuse the personal favour of the Crown for the selfish purposes of his own interest, deeper still was his guilt who dared to use the name and supposed favour of the sovereign to overawe the discussion and to fetter the free exercise of the right of debate of the representatives of the people of this country. Another Cabinet Minister, Mr. Macaulay, had set up a distinction between a defeat on the administrative conduct of a Ministry, and a defeat on its legislative policy. But Mr. Macaulay, with all his historical knowledge, had not been able to find one instance in which a Government had ever been forced out of office on account of its administrative policy alone. If their chief difficulties were now found in the matter of finance, it was because finance was the only department in which they had not been controlled by others. It had been said that a Ministry was not bound to resign upon a single defeat, but this Ministry had sustained a series of defeats. Lord Stanley then drew an eloquent, though covert parallel between the weakness of Sir Robert Walpole's Ministry in its latter days, and the weakness of the present Whig Administration. It had been said in this debate that the Crown had the power to dissolve Parliament. True: and the people were anxious for that event as the means of liberating themselves from such an Administration. But the Crown's advisers were responsible for the dissolution, and what was the ground on which they meant to justify it? No want of harmony between the two Houses, for both alike condemned these measures. If, however, a majority of two or one could be gained in a new House

of Commons, then the two Houses would be brought into conflict. The real ground of the intended dissolution was the hope of raising an agitation, through which the Ministers might cling a little longer to office. But it was not constitutional to hang the threat of a dissolution over the House of Commons. That House ought not to carry on its debates with an eye to the hustings. Such a threat had been used by Mr. Canning in 1807, and condemned by all the Whigs of that time, including the present Lord Lansdowne and Earl Grey. In 1826, the 7th year of the first Parliament of George 4th, Mr. Huskisson urged its approaching expiration as a reason against the stirring of the Corn-law question. What would that statesman have said if the proposal had been to make such a question the great party-pivot of that day and of many a succeeding year? Lord Stanley, after reading, as a specimen of the tone adopted by the agitators, a handbill put forth at Stroud among the supporters of lord John Russell, next proceeded to deal with the inconsistencies of the members for Lincolnshire. The avowed object of the resistance to this motion was to give the Ministers a better chance of gaining time for the defeat of the agriculturists. How if that object should be carried by the Government by a majority of three, and those the votes of three of the members for the agricultural county of Lincoln? After a severe dissection of the consistency of Mr. Handley, whom he repaid in kind for his attack on Sir James Graham, Lord Stanley concluded by declaring that the time had come when the forbearance of the Opposition must have an end.

Lord John Russell began by denying that the present motion was in the spirit of the constitution. It had been said that the Ministers had crippled the energies of the country, and if that had been proved, he would have been the last man to deny, that such Ministers ought to be dismissed; but he appealed in refutation of the charge to the acts of the Government in the Mediterranean, in China, in India, in England, and in Ireland. With respect to the historical precedents, he insisted on their inapplicability to the circumstances of the present time. A great change had taken place in the Constitution; and glancing at the legislation of the Ministers whose resignation had been taken for precedents, it would be seen that they had placed a very meagre list of measures on the statute-book. Since the Reform Bill, great changes long delayed had been demanded, and Government was obliged to submit a multitude of bills to the refusal of the legislature; while there was a less servile adherence to Government than used formerly to obtain. During Lord Liverpool's Administration the repeal of the Test Act had been carried against the Government; but instead of resigning, that Government gave way, and even assisted in the repeal. In 1827 Sir Robert Peel had broadly objected to the relief of the Roman Catholics; but in 1829 he brought forward that very relief, avowedly on the ground of compulsion from without. These were what were called strong Governments, yet they carried their measures by the aid of their opponents, just as the present Government was accused of doing. Earl Grey's Government again was beaten upon the malt-tax, and was enabled to rescind

the vote only by the frank support of Sir Robert Peel. Lord Stanley and Sir James Graham, who were both members of that Government, were in no wise shocked at that. And every other Government in these times must be prepared to avail themselves of similar resources which really were not such startling novelties as they had been represented. Lord John Russell then recapitulated all that the Whigs had done, which Sir Robert Peel, on going out of office in 1830, had left undone. He had left the power of returning members to the House, in some 150 or 200 instances, in the hands of individuals, while the great towns of the country were unrepresented; he had left 800,000 British subjects in the condition of domestic animals; abuses in the Poor-law which threatened to swallow up the landed property of the country; municipal corporations self-elected; tithes a subject of constant dispute between the clergyman and his parishioners; the poor in Ireland absolutely destitute; perpetual disputes between the clergy and dissenters on account of compulsory ceremonials in marriages and baptism; the municipal corporations of Ireland in a state of exclusiveness and intolerance. All this had been reversed; and to the list of measures by which that had been done, must be added reforms of the criminal law and the Canada Union Act. Lord John Russell had perhaps been too sensitive on the subject of organic changes; but he must say that these great changes had been effected without a pretence for saying, that the country had been disturbed; and the continued rise in the funds vindicated the administration of the finances.

Now, as to some of those matters in which the Government had been unsuccessful—the Appropriation clause had been mentioned; but it had never been rejected by the House of Commons; and rather than persevere in annual conflict with the other House, it was expedient to wait for some change of public feeling, either one way or the other. Even now, he thought it premature to consider that question as at rest, though it was his own intention to refrain from disturbing it. The defeat upon the Jamaica bill had been alluded to, but the Duke of Wellington himself had given it as his opinion, that the resignation of the Ministry on that occasion was uncalled for. The election of the present Speaker followed, on which the Ministers had succeeded by a majority of eighteen votes, substantially affirming, that they had the majority of the House in their favour. With respect to the Budget, the question was merely between two courses—either of reducing our establishments, or of adopting the proposed change in the differential duties; for annual loans were clearly out of the question. Other alternative there was none, except additional taxation, either in the imposition of new duties, or in the increase of old ones. This whole question was of such importance that it became a very grave question, whether the Ministry should offer their resignations, or appeal to the people. If they had resigned, however, they would have been charged with insincerity on these important questions—the other course was that of a dissolution of parliament. But the Government had never held out this by way of a threat. The threats had been from the other side against the members for

Lincolnshire. Sir Robert Peel's intimation about the Corn-laws was a very obscure one, but he believed his intention was to slide the scale down to a very low point indeed. On the whole, the Ministers had thought it right to advise an appeal to the people. The state of parties in the House of Commons was too equally divided to make it probable that affairs could go on long without a dissolution, even should the Ministry resign office. After the division on the sugar duties, the Government would not have thought themselves warranted in postponing the dissolution beyond the time requisite for carrying the necessary arrangements of finance, and that being admitted, where was the necessity of the present vote? Neither crime nor weakness had been proved against the Ministry. They left the country in a flourishing and healthy state, presenting no difficulty, except to successors resolved upon maintaining vicious legislation, and protecting the interests of particular classes of the community.

Sir Robert Peel then rose to reply. He said, that in several of the measures for which Lord John Russell had claimed exclusive credit, he (Sir Robert Peel) had himself taken part, nay, had been their actual originator. He needed no warning against feeling too great security with respect to the Irish tithe question. He hoped the noble Lord would not find it necessary for political purposes to disturb the arrangement of it: if that should prove convenient for Whig purposes, the chance of its permanence would be a slender one. On the Jamaica bill, the advice of the Conservatives had saved both the Government and the colony. On the Ballot, and other similar questions, their aid had rescued Lord John Russell from his own allies. It was hardly necessary at this time to remind them of events which had occurred since the Whigs came into office in 1830. If the Whigs left the country in that palmy state described in the concluding part of Lord John Russell's speech, how happened it that they had so little of its confidence? The Conservatives, no doubt, would find all the changes which had just been enumerated, but they would also find a deficiency of some millions in that department of finance which the last Conservative government had left clear and flourishing. Sir Robert Peel then insisted, that the constitutional arguments advanced against his resolution were in direct contradiction to every principle sanctioned by Whig authorities. He never said or thought that a Ministry was bound to resign upon a single defeat in matter of legislation: the fitness of such a step must depend upon the circumstances of the case, and of the time. But the present Government had admitted this fitness in the existing case. Mr. Macaulay had, in this very debate, acknowledged their repeated humiliations; and so long as two years ago, Viscount Morpeth had formally declared their intention to subsist no longer upon sufferance; —"Yet still," said Sir Robert Peel, addressing the opposite benches, "you do so subsist."

"For sufferance is the badge of all your tribe."

As to the distinction between legislative and administrative confidence, that was swept away by the admission of the whole of the Ministers, that the defeat on the

Sugar duties, following other defeats, had placed them in a situation which left them no alternative but to resign or dissolve. But, in fact, a government rested for public confidence more on its legislative measures than on the mere departmental administration: did not the measure of Catholic Relief, the Test and Corporation Act Repeal, the Municipal Bill, the Poor-law, impart to the Ministers by whom they were propounded their distinctive character in the eyes of the people? Look at the consequences of enforcing the distinction: the Crown, when desirous of influencing the House of Commons, would seek to place it in the wrong by proposing popular measures, for a rejection of which it would incur popular odium; while the House would have no influence on the Government except through tampering with its administrative functions. It was said that the Reform Bill had neutralised historical precedents; but he should have thought that advocates of that measure would have held it more strictly to represent the wishes of the people than formerly, and therefore more worthy of deference.

Then as to the right to dissolve—It was said that the present juncture was matter for grave consideration: if so, his resolution was not so utterly groundless; especially as no intimation had been given that Government contemplated a dissolution until it was actually announced. It had therefore at least elicited the declaration as to the course which Government felt bound to take. Sir Robert Peel did not deny that Ministers had a right to dissolve; but he denied their right to pick and choose a measure to offer to the refusal of a condemned parliament; they ought to have dissolved immediately after they obtained a renewal of the annual Sugar-duties.

Sir Robert Peel vindicated himself against Mr. Sheil's imputation that he had encouraged Orange societies, and referred to the part which, on the contrary, he had taken for their suppression. Questions had been put to him as to the course he would pursue. No one had stood more forward than he had in support of the existing Corn-laws, in support of just and adequate protection. No doubt he had always asserted the close connexion between prosperity of agriculture and of manufactures, and he had reserved to himself the right of making some alterations in the existing scale, because he was constantly receiving important suggestions of improvement in it from the best friends of the agricultural interest. He would ask a question, in his turn;—why were not the three great subjects of cotton, corn, and sugar brought forward at the beginning of the session? Why was not the Corn-law, at least, mentioned in the speech from the throne? Was it that they had two Budgets—one for fair weather and the other for foul? At this moment the Ministry were causing the greatest public mischief by leaving these important questions in doubt, setting party against party, and stirring society to its very foundations, and even at the hazard of giving them an advantage, he had resolved to take the sense of the House of Commons on their conduct.

The House then went to a division, when there appeared for Sir Robert Peel's resolution 312; against it 311—majority in favour of the motion 1.

After the division lord John Russell announced that he would state, on the Monday following, the course which the Government should resolve, under existing circumstances, to pursue.

At the meeting of the House on that day, the most lively interest was felt as to the promised declaration of the intentions of the Ministry, and the House of Commons and all the avenues leading to it were crowded with persons anxiously awaiting the result. Lord John Russell commenced by moving the order of the day for the committee of Supply. He then said, that after notice was given of Sir Robert Peel's resolution, he had expressed to his colleagues the opinion, that if Sir Robert Peel should obtain a majority, the alteration of the Corn-laws ought not to be brought on as a Government motion, and that Ministers ought not to continue in office. On Saturday last he re-stated that opinion, and found that the majority of his colleagues agreed with him. He had therefore to announce, that it was not his intention to give any notice with respect to the Corn-laws during the present session. Not that the various reasons urged against the measure would have deterred him. With regard to the reproach that the subject of the Poor-laws had been dropped, it was to be observed, that that was a question of detail, upon which speeches would have been made, not to promote the efficacy of the measure, but merely to catch a fleeting popularity on the hustings; but with respect to the Corn-laws, his object was to ascertain the opinion of the House on the principle of the Government measure. He thought that the discussion of the subject would have tended to allay rather than to provoke excitement.

He then proceeded at some length to give an outline of the leading topics which, if he had brought the Corn-question forward, he had intended to urge on the House; but this part of his speech was listened to with some manifestations of impatience on the part of his hearers. He denied the truth of the insinuation of Sir Robert Peel, that the Government had two budgets—one for fair weather, and the other for foul. He asserted that the Budget actually produced, was the same which had from the first been contemplated. He then stated what the Government intended to do: they proposed to take the civil contingencies, some Estimates relative to services in Canada and in China, in committee of Supply; and they further proposed to follow, as to the Miscellaneous Estimates, the course which had been pursued on the dissolution of parliament in 1830, after the death of George the Fourth—to take a sum on account of the Miscellaneous Estimates for six months from the 1st of April last; which would supply the immediate wants of the public service, and prevent inconvenience to several private individuals and public officers.

After the late division he felt that in this House of Commons the Government could expect no further majorities: it was clear that the country itself must decide the important question now pending. The Ministers would therefore make no further struggle for the retention of their offices, until the opinion of the nation had been ascertained.

Sir Robert Peel said, that after Lord John Russell's denial of the

double Budget, he felt bound to place implicit reliance on the assurance that such a device had not been entertained — but that suggestion was merely an inference from the real charge which he had brought against the Government. The real charge which he had made, if charge it could be called, was, that if a measure involving so many interests had been contemplated at an earlier period,—for it was nothing less than a relaxation of a whole commercial policy—Parliament should have been informed of it much earlier; and it should even have been made a part of the announcement in the Speech from the throne. He concluded that the Budget had been framed in accordance with the recommendations of the Import-duties Committee: but no member of the Government had sat on that Committee, and if they had determined to act upon its representations the Committee ought to have been re-appointed. As to the abandoned motion on the Corn-laws, he thought the noble Lord, in the speech he had just made, should have confined himself to one of two courses. He was entitled to abandon that motion, or to open it to the House, but he was not entitled to do both—not to withdraw his motion, and yet to state his main heads of argument against it. It would be easy now to set forth the reasons on the other side: but that could not be done without provoking the very discussion which it was agreed to waive. He was the more ready to forbear, because Lord John Russell's assigned reasons had not carried much weight, and those reasons which he had kept behind were, of course, not likely to have much more force than those which he had stated. Upon the proposition of dissolving Parliament he would only say that if it took place, it should be immediate. He would leave the responsibility of that proceeding entirely to those upon whom it ought to devolve, the Ministers; but it was not his wish to throw the slightest obstacle in their way; although he thought the proposal of the Chancellor of the Exchequer to take the whole of the remaining Estimates for six months was a very unusual course. If the prerogative of the Crown was to be exercised, it should be done at once; and the new parliament should be convoked as soon as possible; not only by reason of the unsettled state in which all commercial business, especially the import-trade in corn, was left by the newly-proposed measures, but still more with reference to the condition of the executive Government, which was now recorded as being no longer in possession of the confidence of the people. No considerations of personal or private convenience ought to interfere. Precedent was all in favour of what he urged. Mr. Pitt, who dissolved an adverse parliament in 1784, convened the new one immediately; the same thing was done in 1807, and again in 1831. The country, therefore, had a right to expect the immediate re-assembling of the legislature. He (Sir Robert Peel) would be satisfied with Lord John Russell's simple declaration that Ministers intended to advise the speedy convocation of the new parliament. There was no constitutional objection to such an anticipation. The king's speech before the dissolution in 1807 had expressed an intention to assemble the new parliament forthwith; the same announcement had been

made on the death of George the Third, and afterwards in 1831.

Lord John Russell replied, that though in general he did not deem it advisable to state beforehand the advice which the Ministers meant to offer to the Crown, he had no objection to declare their intentions upon this occasion, which were to advise that no time ought to be lost in dissolving the present parliament, and that the new one should be summoned without delay.

Sir Robert Peel expressed himself quite satisfied with this declaration.

A desultory discussion then took place. Mr. Villiers strongly protested against the postponement of the discussion upon the Corn-laws. Mr. Wakley, disclaiming that he was influenced by any considerations of party, demanded from Sir Robert Peel a more explicit statement of his intended policy, and complained that the country had not been sufficiently informed of the measures to be expected from him on succeeding to office. Mr. Labouchere repeated Lord John Russell's assurance that there had not been two Budgets provided by the Government, and asserted that they had resolved immediately on their defeat on the sugar-duties, not to retain office without dissolving parliament. He thought that an earlier disclosure of their intentions as to the corn, timber, and sugar questions would have been highly injurious, by creating uncertainty and premature speculation in all the branches of commerce connected with those articles. However, with respect both to timber and corn, it was no novelty that the Government had long been disposed to act on the principles which they had put forward in their Budget; and on the Sugar-duties also, indications had been given by them of their disposition in favour of freedom of trade. On many other subjects of commerce, too, the Board of Trade had been prepared with analogous reforms. The Government had seen with alarm the great protected interests banded together on the one side, and the manufacturers with the working classes on the other. This tendency, if not put an end to by Parliament, would be a state of things to which all former conflicts were as nothing, and in a juncture of such importance it was undoubtedly the duty of the Ministers to interpose.

The Chancellor of the Exchequer entered into a statement of figures, to show that the surplus left by Sir Robert Peel's Government, and the deficiency created by the present, had been misrepresented. He was answered by Mr. Herries and Mr. Goulburn, who entered into details to prove the large reduction in the public debt which had been effected under the Administration of the Duke of Wellington.

Mr. Hume and Sir de Lacy Evans denounced the policy of the Conservative party. The former said, that the fault was with the Tories, in having seduced the Whigs into an extravagant system of expenditure. Last year he would not have cared whether the Government were Whig or Tory, but since this Budget had been proposed, he was wholly for the Whigs. He charged the landlords with being the sole authors of the sufferings of the people, and alleged that they were practically as much exempt from burdens as the noblesse of France were under the ancient regime. After some more skirmishing debate, the House resolved itself into a Committee of

Supply, and the Estimates were voted without opposition.

The session was now virtually at an end, for though the condemned parliament lingered on for about a fortnight after the preceding debate, for the purpose of enabling some measures of urgent necessity to be carried through their remaining stages, yet all the interest of the political drama was now at an end, and the House of Commons was left in possession of a very scanty number of members, the greater part being dispersed through the country to visit their constituents and make arrangements for the approaching elections. A large number of bills, in more or less advanced stages, were announced by Lord John Russell as abandoned; some others the Government were anxious to proceed with, and they were hastily passed and sent up to the House of Lords. The fate of one measure, which all parties agreed ought not to be further delayed—the Bill for the better administration of justice, to which we have already referred, deserves a more particular notice. When the report of the Committee on this Bill was moved by the Attorney-general on the 12th June, Sir E. Sugden, who had from the first dissented from its provisions, objected to its coming into immediate operation under the existing circumstances, so as to vest in a Government, which was then on its trial before the country, the right of patronage to the valuable appointments which it created. The clause which he was about to propose would not have the slightest effect in delaying the beneficial results expected from this bill on the administration of justice; but, considering the immense importance of the selection of persons to fill the offices created by the measure, who would hold them permanently without reference to the party in power, he thought it very undesirable, under existing circumstances, while the real Administration of the country was about to be determined by the people, that the power of the Crown should be exercised over such institutions as the present Bill comprehended. He therefore moved, that the Bill should not come into operation until the 10th of October.

Lord John Russell, with considerable vehemence, objected to this proposal. He could not assent to such a construction of the vote which the House had lately come to, as that it was to put a stop to all acts of the executive Government, and paralyze the Administration, until the time when the opinion of the country could be obtained by a new parliament. He represented the present motion as an attempt to throw censure upon the Lord Chancellor, on whose impartiality in the distribution of patronage and general merits, he pronounced a warm panegyric.

Sir Robert Peel, while he supported the motion, said it was needless for him to disclaim any distrust of the present Lord Chancellor, who was not in the remotest degree involved in the question. Neither would he have concurred in the motion, if an Address to the Crown had been proposed, to withhold from the Government the exercise of patronage, on the ground of the recent vote of want of confidence. But the present motion was very different, being intended not to deprive the Government of patronage, which, by virtue of office, it was entitled to, but to prevent it from exercising that which was to be the

result of an Act of Parliament not yet passed. The Ministers had confessed that, in the present state of their tenure, it would not be right to propose any change in the existing Corn-laws; they had also declined to proceed with the Poor-law; for the same reasons, he thought the operation of the present measure ought to be postponed till the meeting of a new parliament. Such a course would not in effect at all delay the desired improvement in the administration of justice.

Upon a division, Sir E. Sugden's motion was carried by a majority of 18, whereupon Lord John Russell declared his determination to throw up the bill altogether.

Sir De Lacy Evans thereupon made some strong observations, on the spirit of a partisanship displayed by a parliament of monopolists. These remarks called up Lord Stanley, who said he could not allow such language to go forth to the public without an answer. The patronage of the Bill ought, he said, to be exercised by those who, when the business to which it related should arise, might be the responsible Government, and not by an Administration which was in abeyance. If the present Ministers should find themselves in office in October, they would have the exercise of it; and if any evil should arise from the course now taken, it would be the fault of Lord John Russell alone. If, however, notwithstanding the course he had now taken, he should call the new parliament together as soon as they had a right to expect, he would even then be in time to introduce a new Bill, and might make the appointments under it without opposition.

Mr. Labouchere again protested against the unconstitutional doctrine affirmed by the motion.

Mr. Wakley congratulated the House that these violent attacks on the prerogative of the Crown had originated not with the Liberal side of the house, but with the Conservative party.

Sir Robert Peel said, that the cause of all this embarrassment was sufficiently obvious. It was neither more nor less than this—the attempt to carry on executive government with a minority of the House of Commons. There clearly was no other alternative for the Government, when the House of Commons declared that the Administration did not possess its confidence, than resignation or immediate dissolution. By immediate dissolution, he did not mean dissolution without the necessary grants to carry on the public service—he did not mean dissolution without those legislative Acts which would enable them to levy duties; but no contested motion of any kind whatsoever, no act of the House of Commons implying confidence, ought to have been brought forward; and it was from that anomalous, extraordinary, and unparalleled position, Ministers being placed in a minority on a vote of confidence, and yet coming and asking that House for a fresh demonstration of confidence, that all the embarrassment arose. Depend upon it, it was impossible that a Government could be conducted on that principle.

The Bill thus fell to the ground for the present; it was, however, revived in the next session, and then passed into a law.

After this discussion, nothing worthy of note occurred, and on the 22nd of June the parliament was prorogued by the Queen in

person. Her majesty having taken her seat on the throne in the House of Lords, the Commons, represented by the Speaker and a number of members, appeared at the bar, when the Speaker addressed the Queen as follows:—

"*Most gracious Sovereign,*

"We, your Majesty's faithful Commons, approach your Majesty with sentiments of unfeigned devotion and loyalty. It has been our most anxious desire, in granting the supplies for the present year, to place at the disposal of your Majesty the means by which the naval and military establishments of the country might be placed in a state of complete efficiency; and we entertain a strong conviction, that by thus enabling your Majesty to maintain the honour of the Crown, and to protect the just rights and interests of the people, we have adopted a course which, under the favour of Divine Providence, will insure both to this country and to the rest of Europe a continuance of the blessings of peace. We now tender to your Majesty an Act to apply certain sums of money for the service of the year 1841, and to appropriate the supplies granted in this session of Parliament; to which, in all humility, we pray your Majesty's gracious assent."

The Queen having given assent to the Appropriation and some other Bills, in a clear and distinct tone of voice read the following Speech:—

"*My Lords and Gentlemen,*

"On a full consideration of the present state of public affairs, I have come to the determination of proroguing this Parliament, with a view to its immediate dissolution.

"The paramount importance of the trade and industry of the country, and my anxiety that the exigencies of the public service be provided for in the manner least burdensome to the community, have induced me to resort to the means which the Constitution has intrusted to me, of ascertaining the sense of my people upon matters which so deeply concern their welfare.

"I entertain the hope, that the progress of public business may be facilitated, and that divisions injurious to the cause of steady policy and useful legislation may be removed by the authority of a new Parliament, which I shall direct to be summoned without delay.

"*Gentlemen of the House of Commons,*

"I thank you for the readiness with which you have voted the sums necessary for the civil and military establishments.

"*My Lords and Gentlemen,*

"In the exercise of my prerogative, I can have no other object than that of securing the rights and promoting the interests of my subjects; and I rely on the co-operation of my Parliament and the loyal zeal of my people for support in the adoption of such measures as are necessary to maintain that high station among the nations of the world which it has pleased Divine Providence to assign to this country."

The Lord Chancellor then declared Parliament prorogued to Tuesday the 29th of June.

On the following day, the Queen's Proclamation was issued, by which the Parliament thus pro-

rogued was declared to be dissolved, and writs for a new one issued, returnable on the 19th of August.

Thus terminated the first session of the year 1841, and it is not too much to assert, that a more barren and unprofitable one, as respects practical legislation, is not to be found in the annals of modern Parliaments. It lasted nearly five months, and assuredly exhibits no deficiency, if we look only at the quantity of matter that was spoken, and to the enormous and unprecedented protraction of the debates which took place. But if, on the other hand, we refer to the statute-book, to see what accessions of permanent and general utility were gained to legislation during this period, it will appear that, with the solitary exception of a change neither extended nor comprehensive in our criminal jurisprudence, no single measure of large scope or general importance received the Royal assent during the entire session. The fact will be made more manifest, if we refer to the Queen's Speech at the meeting of Parliament, for though the subjects therein recommended by the sovereign to the consideration of the Legislature were even less numerous than usual, yet all these questions were found, at the close of the session, in precisely the same condition as when it began. The reform of the Irish Registration remained still unaccomplished; the Poor-law Amendment Act, though its machinery was provisionally continued, remained still unaltered; the alterations in the courts of Chancery, and the other projected Law-reforms, with the single exception just specified, were still as far as ever from their consummation. In short, the whole operations of this session might have been at once blotted out of the records of Parliament, with scarcely any sensible effect upon the laws or institutions of the country. The cause which led to such unsatisfactory results is on the surface. The House of Commons came together at the commencement of this session, not in effect so much "for the despatch of business" as in order to bring to an issue that question, upon which all other parliamentary proceedings turn, viz. which of the two great parties in the state should have possession of the reins of Government. Till this was decided, the Administration was virtually in abeyance; the close equality of the two antagonist forces rendered all progress impossible; and legislation was paralysed, while the House of Commons was made the arena of the great conflict of parties. To the interests of this game of political strategy, all other considerations were by mutual consent postponed, and the measures proposed on either side were regarded less with a view to their intrinsic merits or practical tendency, than as tests of numerical strength, or instruments of aggressive or retaliatory warfare. The evils resulting to the public interests from such a state of things are too obvious to need insisting upon, and all parties must unite to deprecate its recurrence. On which side the scale ought to preponderate—what class of opinions ought to command a decisive majority in Parliament—is a question on which the widest difference will exist, according to the bias of individual judgments; but few will dispute, after the experience of the session which has just been recorded, that a balance of parties so nearly approximating in numerical strength

as to render it impossible for either the one or the other to act at all, except for the purpose of reciprocal obstruction; and to make the highest interests of the community regarded as subservient to the achievement of a momentary triumph, is a state of things at once discreditable to the Legislature and injurious to the public.

CHAPTER VII.

State of parties at the period of the dissolution of Parliament—Reasons for the decline and fall of the Whig Administration—The Whigs appeal to the country as Anti-Monopolists—Election of Members for the City of London—Conduct of the Ministry with regard to their Equity Courts' Bill, and the appointment of the Attorney-General Lord Chancellor of Ireland—Elections for Northumberland and the West Riding of Yorkshire—Defeats of Viscount Howick and Viscount Morpeth—Mr. O'Connell defeated at Dublin, and Sir De Lacy Evans at Westminster—Abstract and Analysis of Election Returns—Assembling of Parliament—The Royal Speech—Earl Spencer moves the Address in the House of Lords—The Marquess of Clanricarde seconds it—The Earl of Ripon moves an amendment of want of confidence in the Government—Speeches of Lord Fitzwilliam, Lord Lyttleton, and Viscount Melbourne—The Duke of Wellington supports the Amendment, and censures the use made of the Queen's name in the Royal Speech—Viscount Melbourne explains—Speeches of the Duke of Richmond, the Marquess of Lansdowne, and the Marquess of Northampton—Lord Brougham declares that he shall vote in favour of the Address, but attacks the conduct of Ministers—Division on the question of the Address, and defeat of Ministers.

THE dissolution of Parliament having taken place, both the great parties in the state, known under the names of Conservatives and Liberals, prepared themselves for the struggle which was immediately to ensue at the general election. But the hopes and expectations on the two sides were widely different. The Conservative party had been, throughout the country, increasing in numbers and strength for a long period. Their ranks had been recruited by a large accession of those who, although they had supported the Reform Bill, and been accustomed to identify themselves with the Liberal cause, yet believed now that the time was come when the exigencies of the country imperatively demanded a strong and efficient government, and who were willing to accord to Conservative statesmen the merit of being ready to support all measures of real amendment, knowing, as they well did, that the latter only had the power to carry such measures into effect. Many, who still stood aloof from the Conservative party, and professed jealous suspicions of its future policy, were not averse to give it a trial in the possession of power; hoping that an exclusion of ten years (with a brief interval) from office, might have disposed it to look with more favour on their

own views of what was best for the nation. They saw clearly that the large and comprehensive mind of the distinguished leader of that party, Sir Robert Peel, had no sympathy with a narrow or ultra system; that he had, in all matters of trade and commerce, been the advocate of measures which tended to give free scope to the energies of the country, and had given his zealous co-operation, while at the head of the most powerful Opposition ever known in parliament, in furthering the cause of practical reform. The sands of the Whig party were well nigh run out; and owing to the conduct of the Government during the later period of its existence, a combination of interests was raised up against Ministers, which rendered an appeal to the country on their part an almost suicidal act. They had never possessed the confidence of the Church, and the large and influential body of the clergy was decidedly against them. The landowners and farmers, amongst whom the strength of the Conservatives had always chiefly lain, were united in opposing a Ministry which had agitated the question of the Corn-laws. The mercantile body was alarmed at the attack which had been so suddenly made upon our West Indian and Canadian interests, in the articles of sugar and timber; and all agreed in an anxious desire to get rid of a Government which seemed to pursue no settled line of determinate policy, but to depend upon temporary expedients, and bring forward its measures from time to time, in order to gain popular support, rather than from any conviction of their own intrinsic merit and expediency. It could not be disguised that the proposal of a fixed duty on corn instead of the sliding-scale, and the reduction of the duties on West Indian sugar and Canadian timber, were no part of any system of free-trade policy pursued by Viscount Melbourne and his colleagues; for, during their long tenure of office, they had brought forward no measures of a similar character—they had in no respect unfettered trade; and had emphatically denounced any tampering with the Corn-laws; and therefore the constituencies of the country looked with suspicion upon such proposals when they were made at the eleventh hour, after so many defeats and so many failures. Even the extreme section of the Liberal party, the more violent Radicals, had ceased to place any confidence in the Whigs. The doctrine of "finality," as asserted by the latter, was wholly repudiated by them; and numerous occasions had occurred of late, in which the Whig party had been spared the ignominy of being defeated by their Radical allies, through the intervention of the Conservatives. The Radicals, however, though alienated from the Government, did not, as a body, desert it in the last struggle. If they liked the Whigs little, they disliked the Conservatives more; and to exclude the latter from power was their great object. The only mode of effecting this, was to keep or reinstate the former in power; and hence Radical support, however grudgingly and unwillingly given, might be reckoned upon by the Whigs in the approaching contest.

The Ministry and its partisans were wise enough to see what was the safest ground for them to take in appealing to the people. Their ultimate defeat had happened in

consequence of certain financial measures which they brought forward in their Budget. These measures bore the specious character of a removal of disabilities from trade. The interests which they attacked were called "monopolies" —a word odious in its signification —and which was for the first time applied to every species of protection given to commerce or agriculture. Thus the whole of the landowners were styled monopolists, because, for the encouragement and protection of native agriculture, the legislature had imposed a duty on the admission of foreign corn. The same term was applied to the body of West Indian proprietors, because their interests were protected by a duty on foreign sugar; and in the same way it was attempted to excite popular odium against other classes, as favoured in the acquisition of wealth at the expense of the community. All who opposed the Melbourne administration were subjected to the same charge, while the supporters of that government assumed to themselves the name of Anti-Monopolists.

It is also worthy of notice that, throughout the struggle at the elections, the pretensions of the Whig Ministry to support were not rested on past performances, but on future promises. It was not what they had done, but what they intended to do, that was put forward as their claim upon popular sympathy. They represented their fall as occasioned by an attack upon selfish class interests, and by an attempt to act upon large and enlightened views of commercial policy; and kept, as much as possible, in the back-ground, the real causes of their weak and tottering condition in parliament.

The Conservatives, however, although they did oppose the ministerial propositions of a fixed duty on corn, and of a reduction of the duty on foreign sugar, under the particular circumstances of our West Indian possessions, yet openly declared that these were not the grounds on which they sought to deprive the Government of power. They maintained that the issue which the country had to try, was not whether these propositions might or might not be beneficial, but whether the Whig Ministry did or did not, by the whole history of its past conduct, deserve the present confidence of the people. The indictment which they preferred contained a long catalogue of offences; and they denied the right of the accused party to select one or two articles of charge, and plead only to them. Anti-monopoly was, however, taken as the watchword of the Liberal party; and thereby a vain attempt was made to enlist popular feeling in its behalf.

One of the most interesting struggles was that for the representation of the city of London, owing to the circumstance that Lord John Russell himself was a candidate for the suffrages of the electors. During the late parliament the four members had all been Liberals; on the present occasion four Conservatives, Mr. Lyall, Mr. Masterman, Mr. Wolverly Attwood, and Mr. Alderman Pirie, offered themselves as candidates, and the result was, that two Conservative and two Liberal members were returned; a Conservative (Mr. Masterman) being at the head of the poll, and Lord John Russell at the bottom, with a majority of only 7 over the third Conservative candidate, who failed.

In the counties the elections went against the ministry by an overwhelming majority; and even in the towns and manufacturing districts, it was found that the cry of "cheap bread," which was everywhere raised, met with a formidable rival in the counter-cry of "low wages," which were predicted as the certain consequence of a fall in the price of the staple necessary of subsistence. One or two circumstances, also, had just occurred, which brought additional odium upon the government, and gave their opponents convenient topics of accusation on the hustings. One of these was their recent abandonment of their bill for creating two new Equity Judges, on the sole ground that a clause, inserted by Sir Edward Sugden, had been carried in the House of Commons, whereby the appointment of the new judges was to be postponed until the following October; and thus patronage would be wrested from their grasp, in case, as seemed inevitable, they were driven from office in the mean time. The other was, their calling upon Lord Plunket to resign the Chancellorship of Ireland, after the dissolution of parliament —which he was very reluctant to do—in order that their Attorney-general (Sir John Campbell) might be promoted to that high office. This excited at the time a burst of indignation, which was not much allayed by the assurances which were given that the new Lord Chancellor would not receive any pension on ceasing to hold the seals of Ireland. If such a pension *were* paid, under the circumstances of the appointment, it was looked upon as a gross and unjustifiable job; and if not, it was an acknowledgment of ministerial weakness and foreboding of defeat, to be compelled to bestow so high an office on their Attorney-general upon such terms.

Not the least significant signs of the times were the defeat of Lord Morpeth in the West Riding of Yorkshire, and of Lord Howick in Northumberland. In the general election that took place in August, 1837, the hon. Stuart Wortley stood as the Conservative candidate for the West Riding, and the numbers at the close of the poll were as follows:

For Lord Morpeth ...	12,576
Sir G. Strickland	11,892
Hon. S. Wortley	11,489

But on the present occasion, two Conservative members, Mr. Wortley and Mr. Denison were returned, after a severe contest. The numbers stood thus:

Hon. S. Wortley	13,165
Mr. Denison ...	12,780
Lord Morpeth ...	12,080
Lord Milton ...	12,031

and it should not be forgotten that the West Riding constituency embraces a large manufacturing population. Mr. O'Connell also was defeated in Dublin, and two Conservative members, Messrs. West and Grogan, were returned for that city. Even in Westminster, which has been usually regarded as an impregnable stronghold of the Liberal party, the Conservatives were able to wrest a seat from their opponents, and Sir De Lacy Evans was compelled to give way to the hon. Captain Rous, as the representative of its numerous constituency. Upon the whole returns, the result was more favourable to the Conservative cause than had been anticipated by the most sanguine of that party; and it seemed certain that Sir Robert

Peel would command a stronger and more efficient majority, than had supported any minister in parliament for a long period.

We subjoin in a note an abstract of the election returns, with an analysis which may prove interesting to our readers.*

On the 19th of August the new session of parliament was opened by commission, and on the 24th the Lord Chancellor read in the House of Lords the following royal Speech:

"*My Lords and Gentlemen,*

"We are commanded by her Majesty to acquaint you, that her Majesty has availed herself of the earliest opportunity of resorting to your advice and assistance after the dissolution of the last Parliament.

"Her Majesty continues to receive from Foreign Powers gratifying assurances of their desire to maintain with her Majesty the most friendly relations.

"Her Majesty has the satisfaction of informing you, that the objects for which the Treaty of the 15th July, 1840, was concluded between her Majesty, the Emperor of Austria, the King of Prussia, the Emperor of Russia,

* ABSTRACT OF THE ELECTION RETURNS.

	Liberals.	Conservatives.	Liberal Majority.	Conservative Majority.
England and Wales	199	303	..	104
Scotland	31	22	9	..
Ireland	62	43	19	..
	292	368	28	104
		292		28
	Majority	76		76

This aggregate includes the following divisions:—

		Liberals.	Conservatives.	Liberal Majority.	Conservative Majortiy.
English	Counties	23	136	..	113
	Universities	..	4	..	4
	Cities and Boroughs	176	163	13	..
Scotch	Counties	10	20	..	10
	Cities and Boroughs	21	2	19	..
Irish	Counties	39	25	14	..
	University	..	2	..	2
	Cities and Boroughs	23	16	7	..
		292	368	53	129

PROFIT AND LOSS.

		Conservative Gain.	Liberal Gain.
English	Cities and Boroughs	38	31
	Counties	23	1
Scotch	Boroughs	2	1
	Counties	5	3
Irish	Cities and Boroughs	6	1
	Counties	4	1
		78	38

and the Sultan, have been fully accomplished; and it is gratifying to her Majesty to be enabled to state, that the temporary separation which the measures taken in the execution of that treaty created between the contracting parties and France has now ceased.

"Her Majesty trusts that the union of the principal Powers upon all matters affecting the great interests of Europe, will afford a firm security for the maintenance of peace.

"Her Majesty is glad to be able to inform you, that in consequence of the evacuation of Ghorian by the Persian troops, her Majesty has ordered her Minister to the Court of Persia to return to Teheran.

"Her Majesty regrets that the negotiations between her Plenipotentiaries in China and the Chinese Government have not yet been brought to a satisfactory conclusion, and that it has been necessary to call into action the forces which her Majesty has sent to the Chinese seas; but her Majesty still trusts that the Emperor of China will see the justice of the demands which her Majesty's Plenipotentiaries have been instructed to make.

"Her Majesty is happy to inform you, that the differences which had arisen between Spain and Portugal about the execution of a treaty concluded by those Powers in 1835, for regulating the navigation of the Douro, have been adjusted amicably, and with honour to both parties, by the aid of her Majesty's mediation.

"The debt incurrred by the Legislature of Upper Canada, for the purposes of public works, is a serious obstacle to further improvements, which are essential to the prosperity of the United Province. Her Majesty has authorized the Governor-general to make a communication on the subject to the Council and Assembly of Canada. Her Majesty will direct the papers to be laid before you, and [*she*] trusts that your earnest attention will be directed to matters so materially affecting the welfare of Canada and the strength of the empire.

"*Gentlemen of the House of Commons,*

"We have to assure you that her Majesty relies with entire confidence on your loyalty and zeal to make adequate provision for the public service, as well as for the further application of sums granted by the last Parliament.

"*My Lords and Gentlemen,*

"We are more especially commanded to declare to you, that the extraordinary expenses which the events in Canada, China, and the Mediterranean have occasioned, and the necessity of maintaining a force adequate to the protection of our extensive possessions, have made it necessary to consider the means of increasing the public revenue. Her Majesty is anxious that this object should be effected in the manner least burdensome to her people; and it has appeared to her Majesty, after full deliberation, that you may at this juncture properly direct your attention to the revision of duties affecting the productions of foreign countries. It will be for you to consider whether some of these duties are not so trifling in amount as to be unproductive to the revenue while they are vexatious to commerce. You may further examine whether the principle of protection, upon which others of these duties are founded, be not carried to an extent injurious alike to the

income of the State and the interests of the people.

"Her Majesty is desirous that you should consider the laws which regulate the trade in corn. It will be for you to determine whether these laws do not aggravate the natural fluctuations of supply —whether they do not embarrass trade, derange the currency, and by their operation diminish the comfort and increase the privations of the great body of the community.

"Her Majesty, feeling the deepest sympathy with those of her subjects who are now suffering from distress and want of employment, it is her earnest prayer that all your deliberations may be guided by wisdom, and may conduce to the happiness of her beloved people."

Earl Spencer rose to move the Address, and said, that he was sure their Lordships would join with him in an expression of satisfaction that this country was in friendly communication with the other powers of Europe. They must all too feel rejoiced at the renewal of our amicable relations with Persia. On the subject of China, also, but one opinion was likely to prevail: he admitted that it was a point of great difficulty; but he apprehended that a great majority of their lordships would think that itwas impossible to avoid the course that had been taken. The matter was still pending and he earnestly hoped would be brought to a happy conclusion. There were other points in the Speech which were highly gratifying—such as the peaceable adjustment of the dispute which had arisen between Spain and Portugal, effected through the mediation of her Majesty. What was said respecting Canada was also a subject of sincere congratulation. The next topic to which his Lordship adverted was the effect of the treaty of July 1840. They all must rejoice that the objects of that treaty have been accomplished without involving Europe in war. He confessed, when he saw that England had entered into a negotiation, with three powers to the exclusion of France, he had entertained the most serious apprehensions. He saw that a great national calamity might be the result, and felt great regret that his noble friend, the secretary of state for foreign affairs, had entered into it;—he was afraid that his noble friend had abandoned the wise policy which seemed to have guided the course of his administration, and which hitherto had secured the peace of Europe—since then, however, the candid avowal of M. Thiers of what was his intention, the unexpected weakness of the Pacha of Egypt, and, indeed the whole course of events, had shown him that he was mistaken and her Majesty's Ministers in the right. He was quite ready and not at all disinclined to admit his error, and was now most happy to find that we were again connected with France in a great political union. Such a bond, and perfectly good understanding were essential to the peace of Europe, and with that, he could hardly see how it could be disturbed. The noble earl went on to say, that the wealth of this country had increased in a greater proportion than her debt; but in order to give this state of things full effect;—that the wealth of the country might tell as it ought on the prosperity of the people;—that it might tend to the lightening of taxation, it was necessary that they

should take into consideration the mode in which our taxes are imposed. It was our duty to ascertain whether by some alteration and revision they might not make them press with less severity on the people than at present. Our taxation was now upon a principle of limitation. Undoubtedly of late years, they had to a certain degree relieved the country from restrictions; but they had a great deal more to do, before they can be justified in saying, that they had done what they could to make taxation as little burdensome as possible. In arguing this point, the noble Earl said, he did not find that "anybody objects to the general principle; every one admits that the best policy is to give commerce its free course; not to interfere with the distribution of capital, in order that a man may employ his means in the way best calculated to promote his interests. Individuals, however, tell us that these general principles are excellent—incontrovertible; but that England is so peculiarly circumstanced that they cannot be applied to her or to them. Now what is the peculiarity of her situation? It is peculiar in having to pay the public creditor an enormous amount of interest in the shape of an annuity, in having to raise by taxation a sum equal to pay that annuity. After expressing his approval of the ministerial propositions with respect to timber and sugar—and denying that there was any danger of retarding a general manumission of the negro population by a reduction of the sugar duties—the noble earl said that the last question to which he felt himself bound to refer, was one specifically recommended to their attention by her Majesty's Speech—the state of the law respecting the introduction of foreign corn. On this subject the grossest misrepresentations had been spread abroad both on one side and the other. He was himself entirely dependent on agriculture and could not believe that the price of corn would fall in consequence of the proposed change, so as to throw thousands of acres out of cultivation. Nothing in his opinion could be more lamentable than this, but he had no hesitation in saying that the present Corn-laws were no protection to the farmer. He did not believe that by their abolition the price of corn would be materially altered. The price must always be fixed in proportion to the expense incurred in the cultivation, and the trade price must be settled generally by the price in this country. It was a complete mistake to suppose that the worst lands would be thrown out of cultivation, for they could only become a barren waste. If any were uncultivated it would be that arable land which could be turned into pasture. Taking all these things into consideration, it was quite impossible to conceive that the price of corn would be very much diminished. It was generally his fate to be in a minority; but he had seen that minority gradually decrease, and felt confident that the question of freedom of trade, and of opening an intercourse with other countries to the greatest possible degree would eventually be carried. He might be asked why he advocated the repeal of the Corn-laws, if the change would not cause an alteration in the price? What he wanted to alter was the price on the continent, in order that the manufacturer there might be less able to compete with our manufacturer.

Opening the trade would be of great advantage to every interest in the country. It would increase its prosperity, because there was no doubt that on the prosperity of the manufacturer depended in a great degree that of the agriculturist. But what had the Corn-laws done? It was not when prices were high that persons engaged in agriculture wanted any assistance but when they were low. Under the present system, however, when prices were low, the Corn-laws depressed them still more. In conclusion, the noble earl said, that he should feel deep regret if the House did not agree to the Address which he was about to propose. With most of her Majesty's ministers he had long been in the habit of acting. He felt confidence in them when they came into office, and sanguine as to the policy which they would pursue, and he was glad to say that he felt every confidence in them still. He must add too, that he was still as deeply attached as ever to the party to which he belonged. The noble earl then read the address—which was as usual a mere echo of the royal Speech.

The Marquess of Clanricarde at considerable length seconded the Address. He said that in his opinion the present Corn-laws most injuriously affected the landed interest. He admitted that if corn became cheaper wages would undoubtedly fall; but if the workman for a certain sum of money was able to obtain a larger supply of food and clothing when corn became cheaper than he could before, then his condition would most undoubtedly be bettered, and to all intents and purposes would he be a richer man. He objected to the principle of the sliding-scale, for the effect of it was to interfere with and derange the currency.

The Earl of Ripon then rose for the purpose of moving an amendment, and after a few preliminary observations, said, that many of their Lordships would do him the honour to recollect that for the last few years he had called the attention of the House to the state of the revenue, and had shown that, for the last five years, the expenditure had exceeded the income, and that, for four years of that time, the Government had continued to fill up that deficiency in a most objectionable manner. In the case of a single and sudden emergency the course they had adopted might not have been so objectionable, but their objectionable course was continued through a series of years, and without the sanction of Parliament; in fact, it was not publicly known till last year, when it appeared in some papers which were laid before the House. The course to which he objected was the tampering with the savings' banks, and changing them for Exchequer-bills, which they added to the funded debt. He would admit that they had a right to do so to some extent; but to prop up a falling revenue by the application of the savings' banks, and that without the knowledge of Parliament, was, he must contend, most unconstitutional. What did those savings' bank funds consist of? They were the savings of years of vast numbers of poor and industrious individuals who deposited them with the Government for greater security. But if Government used them to prop up a failing revenue, must it not weaken the confidence of the people in that security, and deter them from vesting them so in future? In every point of view this application

of the savings' banks was most objectionable. The other part of the financial operations of Government which he considered most objectionable was that of reducing the balance in the Exchequer to a very low sum. This he would admit might be resorted to in a case of great exigency, but when resorted to in such a case as that of propping up a deficient revenue it was an experiment of great danger, for a great and pressing emergency might arise when no balance might be found, and then Ministers would have to return "no assets." It appeared also that in the last ten years there had been an addition to the funded debt of the country of upwards of 1,000,000*l.* per annum, and no provision whatever made for it. That had some times been the case when there was a large surplus, but here for the last four years they had been going on adding to the deficiency, and by this, added to the revenue lost by the hasty adoption of the Post-office Bill, they had 2,500,000*l.* for which Parliament had to provide. After adverting to, and condemning the projected alterations with regard to the reduction of duty on Baltic Timber, while he admitted that the disproportion of duty between foreign and Canadian timber required revision, the noble Earl went on to say with respect to Sugar, that the amount of the reduction of the price of sugar which would be obtained by the measure of the Government, was calculated at a fraction of a farthing per pound. Now, unless the price of the article should be reduced at least 1*d.* per pound, it would be folly to expect that the consumer would derive anything from it. He was not prepared to say that there was no period at which the duty upon foreign sugar could be reduced, and he could not bind himself to such a proposition. But the noble Lord who had moved the Address had told their Lordships that if he thought the foreign slave trade would be promoted by the alteration of the system of the sugar duties, with all his love of free-trade, he for one would not consent to it. Now, he (Earl Ripon) thought it must have that effect, he thought there was, at least, great danger of its having that effect, and this, in his mind, was an objection to the scheme. He had been engaged in the noble work of extinguishing slavery in our colonies. That great experiment was now in a course of trial, and he believed it was working remarkably well, and he had no doubt that the produce of sugar in our free colonies would at no distant time be largely increased, and sold at a cheaper rate. The measure was one which he had the honour of opening in their Lordships' House when he held the seals of Secretary of State, and he therefore took a deeper interest in the question. ("*Hear, hear.*") He thought the measure of Government would have the effect he had mentioned, and that at all events it was unwise to risk it.

He now came to the question of the Corn-laws—a subject so difficult, that he hardly knew how to approach it. The noble mover of the Address had told their lordships that he was an advocate for free-trade — for free-trade in every thing, and, above all, a free-trade in corn. But the noble Lord very fairly referred to the monstrous exaggerations which prevailed upon this subject. Was the proposition of Government for a free-trade? What it might result in was one thing—what it might lead to was

another thing; and if the noble Lord was right, it would come to the abolition of all protecting duties on corn. Their lordships had, therefore, the explanation of the measure. Why were the two noble Lords selected to move and second the Address? It was customary for the mover and seconder to confer with the ministers previously, and he must assume that the noble Viscount at the head of the Government was aware, when he selected the two noble Lords as the mover and seconder of the Address, that they would argue the question on the principles of free-trade, and no other. It was not unfair or unjust to infer that this is the end of the whole scheme. The country could not have the slightest doubt, from what had been said in pamphlets and newspaper on newspaper, and from the bitter reproaches and calumnies cast upon the defenders of the Corn-laws, and from the arguments of the Anti-corn Law league, that there was to be an abolition of all protection; and their Lordships must therefore make up their minds to that, if they adopt this Address and give their confidence to such a Government. If this was a question *bonâ fide* whether there should be a fixed duty of 8*s*. or a sliding-scale,—if it was a question as to the mode of giving protection, which was the most convenient and the fairest,—would that be a question to agitate the country as this has done,—to set class against class, and to agitate the worst feelings of our nature? The question could not be settled so. He would, if their Lordships pleased, say that both parties were guilty of exaggeration; but the dangerous and violent agitation, the agitation which threatened disorders and the breaking up of all social feelings, appeared to him to be on the side of those who clamoured for what they called "cheap bread," though cheap bread it would not bring. When charges against those who supported the Corn-laws, of being hardhearted monopolists, were spread amongst the people,—he did not say by the Government,—he did not accuse them, but by persons of influence,—it was a most dangerous agitation. It was said, that if there had been a fixed duty, there would have been no fluctuation at all; that commerce would have been free and easy, and everything would have gone on well. This, however, was contrary to experience in respect to many other articles. Upon a former occasion he had shown their Lordships that, taking a series of years, in the prices of wool, cotton, hemp, silk, and articles without end, imported in large quantities from every part of the world, there had been greater fluctuations than in the prices of corn. The noble Lord who seconded the Address had alluded to the objection made to the proposed scheme, on the ground of its making this country dependent upon foreign supply, which was a dangerous thing, and he had argued that he saw no danger in this; but it appeared to him that it was a ground which justified him in supporting the Corn-laws, and he could not, after all the consideration he could give to the subject, divest himself of grave apprehensions, if we were to depend on the importation from abroad of the main part of our supply, and neglect the cultivation of corn in our own country, we might find the difficulty aggravated every year; for although the noble Seconder did not think

that the importation of foreign corn would throw land out of cultivation, if he (Earl Ripon) listened to the arguments of others who wished to abolish the Corn-laws, and who called this a landlord's question, they argued that land had been brought into cultivation, which would not have been so brought but for the Corn-laws. Why, if so, according to their argument, the abolition of the Corn-laws must have the effect of throwing that land again out of cultivation. He (Earl Ripon) did not say that land had been so brought into cultivation; he thought there were other causes. But if we habitually depended upon foreign countries for corn, we incurred risk—and risk in such a matter was a great thing; we ought to see the effect of the measure before we placed such interests in jeopardy by so tremendous a change. It was not clear to him, if they admitted foreign corn, and discouraged the growth of our own, how far they would find foreign countries always to have corn to send us. In Dr. Bowring's report, a curious circumstance was mentioned. He was arguing against the Corn-laws as preventing the extension of commerce; and he says that the German League had a population of 22,000,000, and the total quantity of corn grown in the League for these 22,000,000 of people did not exceed 13,000,000 quarters, wheat, barley, oats, and everything, of which the people consumed 13-14ths: if so, the whole quantity they were capable of exporting would not equal 1,000,000 of quarters per annum. And yet the Government assumed that we must import no less than 3,000,000 quarters of wheat, and 3,000,000 quarters of other corn every year, which exceeded the whole quantity ever imported in any one year. In no one year did the imports of corn ever amount to 2,500,000 quarters, and yet there must be an importation of 3,000,000 quarters of wheat per annum. Why did the Government set this up as a measure of finance? The Chancellor of the Exchequer had assumed, that the customs on corn produced a given sum per annum, and he built his calculations on the produce of the customs for the last two or three years; in this period about 1,000,000*l.* a-year had been received on corn. The Government said they expected to raise by their project 400,000*l.* But if they did not get 1,600,000*l.* a-year, the whole calculation of the Chancellor of the Exchequer was wrong; and the result of the estimate, which was founded upon the last two years giving 1,100,000*l.*, was, that 3,000,000 quarters of wheat must be annually imported at the 8*s.* duty, to give the required revenue, and another 3,000,000 at the medium duty; in fact, there must be a perpetual importation of wheat, whether it was wanted or not, before the expectations of the Chancellor of the Exchequer could be realized. But in the event of the project of the Government being carried into effect, no man could entertain any reasonable doubt that a very large portion of the corn land in this country would be thrown out of cultivation—an evil which, if it once commenced, no one could say where it would stop, or what would be its disastrous consequences. One of his noble friends had laughed at the idea of foreign powers interposing laws to prevent the importation of corn into this country. It was true that there was a law in Russia

which permitted the importation of foreign corn. But why? Because the supply for the last few years had been below the demand. If, however, the Emperor of Russia could permit the importation of foreign corn for two or three years, it would seem that, without his permission, it could not be imported, so that there was not a free-trade in corn in Russia after all, for the Emperor could put an end to it whenever he thought proper. He could not help thinking, then, that it would be imprudent to rely upon any foreign supply of corn, for such a course must inevitably lead to the risk of exposing this country to want and even to famine. There was only one other part of the case to which he wished to advert, that was the mercantile view of the question. It was said, "If you establish free-trade in corn, you will have such a great and increased exportation of manufactures, that our trade will flourish to an enormous extent, and the landholder will profit in the general prosperity that the increased trade will produce." No doubt that, if the prosperity were general, the landholders would profit by it; but he thought there were grave reasons for doubting whether, if they were to alter their Corn-laws, they would acquire that extensive trade from those particular countries whence it was expected. Just see how the question became narrowed when they looked at those countries. The trade could not come from the greater part of Europe, because the greater part of Europe had protective Corn-laws. Holland, Sweden, Portugal, Spain, Naples, Sicily, the Papal dominions, and even Bavaria, in the interior of Germany, had Corn-laws for their own protection. How then could any one possibly argue that those countries would be induced to take our manufactures by a reduction of the duty on their corn?

The noble Earl concluded a long and able speech by proposing that an Address be presented to her Majesty, "Humbly to represent to her Majesty, that we observe with great concern that the public expenditure has of late, in each of several successive years, exceeded the annual income, and that we are convinced of the necessity of adopting measures for the purpose of remedying so great an evil. To assure her Majesty that we are deeply sensible of the importance of those considerations, to which her Majesty has been graciously pleased to direct our attention, in reference to the commerce and revenue of the country, and to the laws which regulate the trade in corn. That in deciding the course which it may be advisable to pursue with reference to such matters, it will be our earnest desire to consult the interest, and promote the welfare of all classes of her Majesty's subjects. That we feel it, however, to be our duty humbly to submit to her Majesty, that it is essential to the satisfactory results of our deliberations upon these and other matters of public concern, that her Majesty's Government should possess the confidence of this House and of the country; and respectfully to represent to her Majesty, that that confidence is not reposed in the present advisers of her Majesty. To assure her Majesty, that in the gracious expression of her Majesty's deep sympathy with those of her subjects who are now suffering from distress and want of employment, we recognise an additional proof of

her Majesty's tender regard for the welfare of her subjects, and that we cordially join in the prayer of her Majesty, that all our deliberations may be guided by wisdom, and may conduce to the happiness of her people."

Earl Fitzwilliam followed, and at considerable length condemned the present system of Corn-laws, and accused the Opposition of concealing their intentions with regard to the measures which they would propose for the relief of the country when they succeeded to power.

Lord Lyttleton said, that he voted for the Address, in order to signify assent, as far as imperfect knowledge would justify him in forming an opinion, to those measures of commercial policy which are most pointedly alluded to in that Address; with the exception of that on the sugar duties, and that not on commercial grounds; and also to that general system of policy concerning trade which would seem to be indicated by those measures, and which he supposed they might now take for granted that her Majesty's ministers, had they the opportunity, would proceed to act on. But inasmuch as, considering the nature of this occasion, and of the Amendment proposed by the noble Earl, a vote given in favour of the Address might very fairly and reasonably, unless otherwise explained, be construed into one of general confidence in the Government; he hoped to be excused if he gave their Lordships some of the reasons why he could not allow his vote to be so considered, both with regard to some circumstances connected with the introduction of those measures, and to some other points not immediately allied with them. It was not that he could see much force in some of the objections commonly taken to the conduct of the Government. But he could not but accept one objection very commonly made—for he could not pretend to novelty in producing it—namely, that at the time when Ministers introduced those measures they had no right, according to the constitution of this country, to stand before the then existing Parliament as advisers of the Crown at all; and especially that it was almost an absurdity and a contradiction for them to stand before that Parliament under those circumstances, and still call themselves a Whig Government.

It might perhaps be supposed, that what had had the most weight with him, had been the conduct of the Ministry with respect to ecclesiastical legislation. He (Lord Lyttleton) had certainly considered that they were not deserving of entire confidence for their mode of dealing with an institution which he believed they did not rightly appreciate. But considered relatively to any Government that might be likely to succeed them, he had not been in the habit of thinking it certain that their removal would benefit the church. With but little dependence in the existing Government on these subjects, he had not much more in those who might be supposed to be their successors. Moreover, he did not consider it material what administration might or might not be in power; believing that if the church herself, by which he meant if they, every one of them, did their duty as churchmen, and not only as citizens, she would vindicate her position in the country, and every Ministry would find the

best thing it could do for its own purpose, would be to let the church alone. The noble Lord then alluded to the conduct of Government with regard to the Appropriation clause, and said that they had abandoned then one principle, and that from that moment he had not been able to avoid the conviction, that they stood in office on ground not their own, and in virtue of an unfulfilled covenant. No agreement in general policy or private feelings should ever induce him to adhere fully to a Government whose public engagements were not fulfilled, and whose political integrity was gone.

Viscount Melbourne then rose and said, "The nature of this motion and the circumstances under which it has been made—notwithstanding its great importance, the arguments on which it has been founded, and the fair, candid, clear, and distinct spirit in which it has been submitted—do not make it necessary for me to trouble your Lordships with many observations. I listened to my noble friend who moved the amendment with great deference for his abilities, with great deference for his information, and with great respect for his candour, and I must say, that seeing the superstructure he was about to raise, a more meagre, slender, or fragile foundation it would be impossible to have laid down. The noble Lord made a sort of *omnium gatherum* speech; impressed every thing into his service, as well what we had done last year as during the present; and on such a collection of heterogeneous materials he founds a motion of this magnitude, —a motion so important in its consequences, and one, allow me to say, perfectly new to this House. My Lords it came like a thunderclap upon me. I own I was ignorant that their existed in this House the spirit on which that motion seems to proceed. We all know that there were a great many factious motions in the late House of Commons, and continual motions of want of confidence, but there was not the least intimation that your Lordships sympathised with or countenanced any such proceeding. Your Lordships were reposing a tranquil confidence in the present Government, when suddenly, on the grounds stated by the noble Lord, unexpectedly, and contrary to all precedent, believing in fact, the manner in which you have heretofore conducted yourselves, the noble Lord has come forward with this distinct motion of a want of confidence in her Majesty's Ministers." The noble Viscount then defended himself and colleagues from the charge of omission of various topics in the royal Speech, and then proceeded to the measures proposed in it for the relief of commercial depression. "On the Sugar-duties too, the noble Lord only objects to one or other trivial part of the measures which have been brought forward; but his grand objection to the proposed change is, that it will encourage the slave-trade. I must freely say, that having as great a hatred to the slave-trade as any man in the country, and being anxious to take measures to diminish, and if possible to eradicate, that traffic, I do not believe it is by means of commercial hostility, by cutting off the intercourse of slave-employing countries, and refusing the produce of slave-growing states, that that object can be effected. My noble friend argues, that it is but justice to our Indian Colonies that you should not interfere with

the trade of sugar at the present moment, as supplied by slave states. But my noble Friend must recollect that if he makes that admission now, he shuts himself out from ever adopting those measures which at some future day, he thinks might be right and proper, because his present objection will, by the lapse of time, grow stronger and stronger. That Indian interest to which he alludes will be on the increase, in point of importance; it will be more difficult to meddle with it; it will be stronger in itself; and will, consequently, give greater weight to any objections it may urge against tampering with the trade; it will, in fact, be in a position to put an end to all hopes of ever adopting such a measure as that contemplated by the Government and by the noble Lord. My noble friend then comes to that great question, which undoubtedly interests your Lordships most deeply, and that is the question of the trade in Corn. Notwithstanding all the statements which my noble friend made, notwithstanding all the deductions he drew from the prices of other articles, I cannot but feel certain that the adoption of a fixed duty would tend to a steadiness of price. ("*Hear, hear.*") To me it is perfectly evident that it necessarily must have that effect. I know there must be fluctuations in this article. I know from the nature of trade in corn there will be great variations in price; but that a fixed duty would tend to produce a greater steadiness of price, more even, more regular, it is impossible for me to doubt. But I can fairly say that the great argument that has always weighed with me on this subject is one which I will state to your Lordships as shortly and briefly as I can. I certainly have been on former occasions for putting off agitation and discussion on this question, as I knew that whenever it came on it must be attended by those circumstances which my noble friend has described; but I always knew that that discussion must come. ("*Hear, hear.*") I always knew that it was not to be avoided, and that it was entirely a question of time. If your Lordships will grant me your attention I will state very shortly what my opinions and feelings on this subject are. This, my Lords, is a law which is capable of being represented, and of being charged as having been introduced, and being supported, for the benefit of those who introduced and supported it. It is a system of law which is the work of two houses of the Legislature, one of which is entirely composed of landholders, and the other almost entirely. ("*Hear, hear.*") Now, I say, that is not a safe state of things. (*Hear.*) I am not accustomed to speak in the language of dictation, but upon this subject, my Lords,

> "Credite me vobis folium recitare Sibyllæ."

I say it is not safe for the governing powers of the country to stand in a situation in which they are liable to imputations of so popular, so plausible, and so specious a nature, and I do assure your Lordships that you will find it to be absolutely necessary to place these laws at some time or other upon a more reasonable and more satisfactory foundation. ("*Hear.*") I do not charge you, my Lords, with that charge which is generally brought against you; I do not charge your Lordships with interested feelings or motives. No man more strongly

condemns the language which is generally made use of; no man more disapproves the topics and arguments perpetually introduced in reference to this subject. I do not think these laws are condemned by the Christian religion; I do not think they are contrary to morality; I do not think they are laws fit only to be eradicated; nor do I think they are the work of those who have had nothing else in view, but their own interest and their own objects. My Lords, if you are free from undue self-interest, and I perfectly agree with what the noble Lord has said, that a man must have some regard to his own interest—it would be wrong if he had not—but feeling sure that these laws are not caused by any motives of a mean, base, or sordid kind, I should entreat your Lordships to free yourselves from the imputation, from the possibility of such a charge being made against you. Nothing is so foolish as to have the discredit of that which you don't do. (*"Hear," and a laugh.*) If you are really free from the imputation yourselves, as I have no doubt you are, I earnestly entreat your Lordships to consider whether it would not be wise to attempt at least to place those laws on a more satisfactory and more reasonable foundation. It is very well to say, "Why, your arguments go to a total abolition—that is what you really mean." But that is not so; we have known many measures that have been founded on arguments which certainly went much further than the measures themselves, yet the measures have afterwards been acquiesced in, and found sufficiently satisfactory. Depend upon it, if you do that which is generally looked for, it will produce the satisfaction that naturally results from it. It is on these grounds that I am unquestionably for an alteration of the duties on corn, and I cannot help concluding, without going further into the subject, that a fixed duty is the right principle, that it will be safe, and will be tenable, and will answer all the ends of giving a satisfactory protection, and at the same time diminishing much of the discontent and suspicion which at present generally prevails. My noble friend, seemed to rake together a great number of matters of small account in the course of the speech he made to you. With regard to the savings'-banks, he said we did what was legal, but not constitutional, and that we had kept too small balances in the Exchequer. Now, if no discontent has been felt on the part of the managers of those institutions—no distrust on the part of the proprietors, and if no inconvenience has resulted from the balances in the Exchequer, I think these are matters which can hardly form the ground and foundation for such a motion as this. Of course, the meaning of the motion, in plain English, is just this—"We have now a majority in the House of Commons." (*Laughter.*) I should suppose, if we are to go from speculations on the hustings, there is such a majority; but, at the same time, members are sent here "*ad consultandum de rebus arduis regni.*" We must not look merely to statements on the hustings, but to the conduct that is pursued where these matters are discussed in a more gentlemanlike manner. (*A laugh.*) I have, however derived some degree of consolation and hope from the arguments by which the views of my opponents were supported at the hustings, and I feel quite certain that such

is their sense of honour, candour, and justice, that they cannot persevere in the opinions they held there upon such arguments."

The noble Viscount then defended himself and colleagues from the charge of unprincipled inconsistency on the question of the Appropriation clauses, and said in conclusion, that he could only repeat, that considering the nature and object of this motion, as far as he could understand them, he looked on it as quite unprecedented, and that there certainly never was a motion supported on more weak grounds, or by more insufficient arguments.

The Duke of Wellington then spoke to the following effect: he was happy to find, that the noble Viscount repudiated those charges altogether which had been made by his supporters against their Lordships; and those parts of the noble Viscount's speech must, therefore, be most satisfactory to them. But it appeared to him that the noble Viscount had treated the speech of his noble Friend (the Earl of Ripon) in an undeserved manner. His noble Friend had said nothing in that speech that was not perfectly within the rules of Parliament—did nothing that was not entirely correct. It was but natural that when he (the Earl of Ripon) was persuaded to move an amendment to those parts of the Address that he objected to, he should state to their Lordships the grounds on which he based his opposition to them; and yet it was for this the noble Lord had attacked him. To those reasons, however, the noble Viscount did not reply or refer, though that would have been the more obvious course for him to follow. Those grounds, as stated by his noble Friend, were neglect and mismanagement of the finances of this country by her Majesty's Government, the future consequence of which, as truly stated, it was impossible to foresee, and the improper, impolitic, and unconstitutional means which they had taken to recover themselves. Those things he had proved by reference to the actual state of the finances, when it had been found necessary to review them in the last Parliament; and he had showed, that in point of fact, after a period of about five years, a debt had not alone been accumulated of five millions, but there had also been a vast deficiency in the public revenue. The next allegation against them, was for not making financial provision of ways and means for the expense and charge incurred by the country by the exertions made to put and end to the danger which had menaced it. His noble Friend had stated, that though a large amount of army and ordnance had been kept on foot since 1831, no provision had been made for the additional expenditure in the usual way of an application to Parliament, but that irregular and unconstitutional modes were adopted by the Government for finding means of defraying those expenses. In this his noble Friend had spoken but the truth. In one case the whole charge of a war had been thrown on the East India Company, and then converted into a debt on this country; in another the funds of the savings' banks had been tampered with; and the Exchequer Bills had been funded; in short, several most singular modes had been adopted. What had then happened? Besides those expenses; and the failure of the Government to make due provi-

sion of the ways and means to defray the charges incurred by their naval and military operations; besides those, her Majesty's Ministers had thought proper to repeal a large amount of taxes, by which they had reduced the revenue of the country to such a degree as materially and inevitably left a most serious deficiency, which had amounted to the sum of two and a half millions, besides the large debt incurred. This being the case, he thought that all those grievances, so clearly stated by his noble Friend, (and it would only impair their effect for him to re-state them,) sufficiently justified him in calling on that House to vote against the Address on that occasion.

The noble Duke then animadverted upon, and condemned the introduction of her Majesty's name into the royal Speech, in such a way as to give the country to believe that those who were opposed to the proposed commercial alterations were, therefore, opposed to her Majesty. He passed a warm eulogium upon the general conduct of Viscount Melbourne, in his relation to the Crown, and said that he was willing to admit, that the noble Viscount had rendered the greatest possible service to her Majesty, in making her acquainted with the mode and policy of the Government of this country—initiating her into the laws and spirit of the constitution, independently of the performance of his duty as the servant of her Majesty's crown—teaching her, in short, to preside over the destinies of this great country.

What he (the Duke of Wellington) chiefly complained of was, that before the noble Viscount put that Speech into her Majesty's mouth, he had not given them full and fair information to guide them as to what they ought to do. He believed that such conduct was sufficient to induce them to say that the noble Lords opposite did not deserve their confidence. Here he should finish what he had had to say, but he wished to make a few remarks respecting the Budget, about which so much had been said, and on which they would have to give an opinion. As regarded the Timber duties, before they attempted to renew the propositions made some years ago by the noble Earl opposite, they ought to recollect the position of our American possessions at the present moment. They ought to consider whether, since that proposal was made, vast quantities of land had been sold covered with timber. He wished then to submit whether the purchasers of that land would not be entitled to some compensation for the loss they must sustain by the proposed alterations? With respect to the change in the Sugar-duties, he wished to enquire whether when the West-Indian planters were deprived of the labour of slaves—(the apprenticeship of negroes had ceased sooner than was expected), if they were told that in a year or two afterwards they would be deprived of all the benefits arising from the fair protection of their sugar; and desired further to enquire if they would not be entitled to some compensation for this loss? The noble Viscount had attempted to answer the arguments of his noble Friend (the Earl of Ripon) as to the encouragement of East-Indian industry. Now, he asked whether, in consequence of measures lately introduced, many persons were not led to believe that it was

the object of Parliament and of the Government to encourage the introduction of sugar from India. A quantity of capital must have been invested in procuring that sugar, and in bringing it to England. And the persons who had so laid out their money, had, of course done so on the faith of Government, and could not they likewise claim some compensation? That proposition would, therefore, require the greatest caution and consideration. But there was another point which had been almost entirely left out of sight, namely, those points bearing on our relations with the government of Brazil. They had alluded to questions arising out of the commercial treaty; but would none be raised about the treaties for the suppression of the slave-trade, which had never been carinto execution? Was it proper to throw away all means of successful negotiation, instead of retaining in their hands something which would ensure proper attention to other matters that ought to be considered in our connection with Brazil? This great point the Government appeared entirely to have forgotten.

With respect to the Corn-law question, his (the Duke of Wellington's) opinions were already well-known; he should not then argue the propriety of those laws, but should be ready to discuss them when a discussion was brought forward by a Government having the confidence of her Majesty's Parliament. But he earnestly recommended their lordships, for the sake of the people of this country—for the sake of the humblest orders of the people—not to lend themselves to the destruction of our native cultivation. Its encouragement was of the utmost and deepest importance to all classes. He had passed his life in foreign countries, in different regions of the earth, and he had been in only one country in which the poor man, if sober, prudent and industrious, was quite certain of acquiring a competence. That country was this. They had instances every day; they had seen only within the preceding week, proofs that persons in the lowest ranks could acquire not only competence but immense riches. He had never heard of such a thing in any other country. He earnestly begged of them not to lose sight of that fact and not to consent to any measure which would injure the cultivation of their own soil. He had seen in other lands, the misery consequent on the destruction of cultivation, and never was there misery equal to it; and he, therefore, once more conjured their Lordships not to consent to any measure tending to injure the home cultivation of the country.

Viscount Melbourne said, in explanation, that with respect to the Speech which her Majesty was advised to make at the close of last session, it was framed upon the model of the Speech of his late Majesty George the 3rd., advised by Mr. Pitt on the dissolution of Parliament in 1784. Parts, of course, were omitted which did not apply to the circumstances of the present case; and he thought that it was milder in form than the Speech of George he 3rd. However that might be, the speech was that of the Ministers, and did not in any way commit the sovereign to its sentiments. Undoubtedly there had been much discussion on the subject of the measure they proposed, and all

that they intended to state was, that it was adopted by her Majesty's Ministers as most likely to prove of advantage to the commerce of the country. Some allusion had necessarily been made to this proposition, but it was not done in a way that was open to the animadversions of the noble Duke, who had also said that his (Viscount Melbourne's) opinions on that subject had been changed in consequence of his having read a certain report of a Committee of the other House of Parliament. Nothing could make him feel more indignant than such a charge. The noble Duke had also said that he had changed his opinion on the subject of the Corn-laws. He had done so. Undoubtedly, the new Corn-law was a very great error, yet all the greatest authorities were in favour of that measure at the time. This was, perhaps, the measure on which there had been a greater—he should say progress, rather than change, of opinion—than on any other. The noble Duke had referred to some observations which he had made use of in reference to this subject, but the measure, the advocacy of which he had said was a sign of insanity, was the *total* repeal of the Corn-laws. In all the speeches which he had made on the subject, he had opposed the projected alterations on temporary grounds only, owing to the circumstances of the time being such as to render it unadvisable to make any variations of the kind. With regard to the changes now proposed, he knew that violence and animosity were great evils, but great measures could not be carried without them, and therefore if the circumstances were considered otherwise favourable to a great and awful change, he did not think that they should be deterred by apprehensions of temporary animosity from attempting it.

The Duke of Wellington then observed, that up to the moment when the noble Viscount had declared that any man must be mad who would propose a repeal of the Corn-laws, he had given no hint that he thought any part of them might be touched. With regard to the contents of the Speech from the Throne, it was at all times desirable that the Sovereign should not be pledged.

The Duke of Richmond followed in a short speech, in which he called upon the House to recollect the debt of gratitude due to the farmers of England, many of whom had long leases of their farms, and therefore could not quit them even if they could find any other profession to follow. "I have no hesitation in saying," continued the noble Duke, "that if unfortunately a Bill of this sort pass through Parliament, I will be the man to move that every tenant, if he think fit, may have the power to throw up his lease." He felt most strongly upon this question. It had been said that night, that the men who were to succeed the present Government in office, would themselves turn round upon the landed interest, and refuse it protection. If they did, he knew what course the landed interest would take. They would turn out the new Government, as they had turned out the present one. If the new Ministers came forward with an 8*s.* duty, the same men who brought them into power would thrust them out of it. But he did not believe they would pursue so mad a course—they knew too well the justice due to the cultivators of

the soil, and were also well aware that the home market was of great importance to the manufacturing interest, and that commerce and manufacture could not flourish if the agricultural interest were destroyed.

The Marquess of Lansdowne said, that although he did not feel so competent as his noble friend (Earl Spencer) to discuss points peculiarly agricultural, yet with reference to a general view of the subject, he could not but complain, after the explanation afforded by Viscount Melbourne, that the noble Duke should persevere in the taunt that, according to his own confession, he must be mad, because he had once stated that any man who proposed a repeal of the Corn-laws, in *toto*, would be so. No such proposal had been made by the present Government; and if it were meant that any man must be mad who contemplated some change in the existing Corn-laws, he (the Marquess of Lansdowne) apprehended that all who had taken part in the discussion already, or who would do so hereafter, must be looked upon as insane. They all, more or less, contemplated some change or other. He did not believe that the noble Duke was entirely exempt from this species of lunacy; and though he might not yet be so far gone as others, and possibly might be the last mad person of the day, still mad he would go in the end, and allow of a change when it could not be resisted.

The Duke of Richmond was sorry, by interposing, to spoil the joke of the noble Marquess, but denied ever having said that his noble friend (Viscount Melbourne) had proposed a total repeal of the Corn-laws.

The Marquess of Lansdowne was glad to infer that the noble Duke did not consider it perfect lunacy to recommend some change in the Corn-laws. Before he proceeded further, he most willingly complied with the request of the noble Duke, that he would make some distinct declaration respecting the security of the money from those most valuable institutions with which this country was ever blessed—the Savings' Banks. Depositors might rest satisfied that their money was perfectly safe, and that the Government and the Parliament, in the face of the country, pledged the revenues of the State for the security of the most sacred of the public funds. All that had been done was to convert one species of security into another; and whatever suspicion might be indulged in by noble Lords for the purposes of debate, he did not believe that such a suspicion had ever entered the minds of that most distrustful class of persons—the saving portion of the community.

The noble Marquess proceeded to say that he had listened with the greatest pleasure to a speech of the Duke of Wellington's, that did him (the Duke) the highest honour; and no part more so than what he had said respecting services of a peculiar nature rendered by the present head of the Government to the young Sovereign of this country; and he was rejoiced that the recognition of those services went forth to the world stamped with the high authority of the noble Duke, who had, however, accompanied that declaration by some censure of the terms employed in two royal Speeches, the one delivered on dissolving the last Parliament, and the other this day read from the Woolsack.

He denied that Ministers had committed her Majesty to anything but to the opinion "that the trade and industry of the country were of paramount importance," and to the declaration that "she felt the greatest anxiety to provide for the exigencies of the public service in a manner least burdensome to the community." The noble Duke had, moreover, expressed some dissatisfaction that measures, on which no definite opinion was pronounced from the Throne, had not been preceded by an inquiry, by which due information might have been conveyed to Parliament and to the country. ⁂

The noble Duke and other Peers had adverted to a report of a committee, not proposed by any member of the Government, but by an individual Member of Parliament. Their Lordships would, however, recollect that constantly within the last twenty or five-and-twenty years, all these subjects had been over and over again investigated by Committees. Sometimes these inquiries were made at the instance of discontented manufacturers, sometimes by dissatisfied agriculturists; and on no fewer than five separate occasions, reports had been presented to one or other House of Parliament. To none of these Committees had the noble Duke adverted, yet some of them came exactly within the category laid down by him of having been composed of the most eminent statesmen. In 1821 and 1822, a Committee of a most important nature, connected with these questions, had been appointed; composed of Sir Robert Peel, Lord Althorp, Mr. William Lamb, (Viscount Melbourne), Mr. Huskisson, and Mr. Robinson. What did the House imagine this combination of illustrious statesmen of different parties agreed in recommending? They recommended a fixed duty as the best protection that could be given to agriculture. Yet this Mr. Robinson was the same individual who had been afterwards created Viscount Goderich and Earl of Ripon.

The present Ministers were, therefore, only humble followers of that great statesman, Mr. Robinson, who now wished to deny his own offspring, and to cast it, like a foundling, at the door of anybody who was charitable enough to give it shelter.

The Report stated that "such a system is fit to be kept in view rather as the ultimate tendency of the law than as practicable, within a very short period," and this was delivered in the Session of 1821-2, and from that date until 1841-2, that is twenty years, the noble Earl, instead of tending towards such a system, had, it seemed, been gradually getting further and further from it. The result would be, that Ministers were never likely to have the benefit of the aid of the noble Earl in this undertaking; the longer he lived, the less likely he was to approach the fixed duty he had recommended in 1821-2. The progress of affairs during a long peace—the advance of foreign manufactures—the proved uncertainty of supply—had no effect upon the mind of the Earl of Ripon, though they might have operated forcibly on that of Mr. Robinson.

In the Report to which he (the Marquess of Lansdowne) referred, Ministers had placed some confidence: it was their harbour of refuge in the midst of the storm of opposition; and backed by the

opinion of Mr. Robinson and his colleagues of the Committee, they had sought, by a fixed duty, to obtain a sure supply at a certain price, which, to the farmer, manufacturer, and labourer, was the great desideratum.

This system, the perfection of a law upon the subject, they had sought to establish, warranted by experiments already made upon the same principle in other spheres of commerce. They had been encouraged, also, in this course of policy, by perceiving that the same principle in the case of wool had entirely succeeded.

When it was proposed to remove the restrictions on wool, the same cry was raised, and the same prophecies indulged; — the poor lands would be thrown out of cultivation, the farmers would be ruined and the labourers starved; but, nevertheless, aided by a great portion of the Opposition of that day, he himself having taken part with the Government, the restrictions were removed, and the result had been a great increase in the importation of foreign wool, conjointly with an advance in the price of our own wool.

Thus both landlords and tenants were benefitted by a change which it was asserted would be their ruin; and not an agriculturist had been found to suggest a return to the former system.

His noble friend had been taunted with making a distinction between the principles of fixed duty and total repeal. He (the Marquess of Lansdowne) was a friend of free-trade; but he knew that perfect freedom was not consistent with the maintenance of the revenue. All that could be done was to make as near an approach to perfectly free-trade as was consistent with the interests of the revenue; and in the instances before the House, it had been thought that the changes would increase instead of diminishing the revenue; and, while it afforded relief to the subject, would be no disadvantage to the Government or to any party. Above all, it was thought that the condition of the farmer would be improved, and that a system might be established which would accomplish this object, while it insured regularity of supply to the community, without bolstering up the machinery of varying averages, the preservation of which would inevitably lead to feelings of dissatisfaction and discontent. His noble friend had omitted many of the transactions which he might have recounted; he had overlooked treaties concluded, reconciliations effected, and expeditions that had been successful; but no wonder that with opinions from which he could not escape, on corn, timber, and sugar, he should fly for grounds of attack to China and Affghanistan, the papers relating to which were not completely before the House. These were not, he thought, sufficiently broad foundations on which to raise the superstructures that had been erected on them.

This policy of his noble friend evidently arose from no other motive than his desire to avoid touching on the great questions at issue. He commended that policy, and the prudence that dictated it.

He had been much struck, not only with what was expressed, but with what was omitted in the amendment. There was no point of the subject to which noble Lords were called upon to pledge themselves.

If there were any who thought that the continuance of the Sugar and Timber-duties, as they existed at present, were essential to the interest of the colonies, as that of the Corn-law was to the prosperity of the agriculturist—if they were comforted by that amendment, they were certainly the most easily consoled people he had ever met with.

There was little else said in condemnation of the Government.

The Duke of Wellington, with his characteristic manliness and fairness, had given his approval to the sums voted for defraying the expenses of the late various military expeditions, though frequently implying that the establishments were not large enough; yet with those establishments and influence in every part of the world, they had successfully maintained the national honour and interests; and they had not only been maintained, but the power of England had been asserted and proved in a manner which would not be speedily forgotten.

It would be a satisfaction to the Ministry, that in the face of an Opposition, the most formidable and active which had ever thwarted an Administration, no opportunity had been supplied of proving that the honour of the country had ever been tarnished in their hands.

It would also be a matter for satisfactory reflection, that although, for the present, they were unsuccessful in bringing their great commercial measures to a satisfactory issue they had fairly taken up and proposed them.

They were prevented from conducting them to the grand point they aimed at; but the situation of the next Administration, when placed in such a position as would enable it to enjoy a greater share of the confidence of both Houses of Parliament, than they had been enabled to possess, would be one of deep responsibility.

The sooner the time arrived which should place them in possession of that greater share of confidence the better; for then he hoped that the cloud which seemed to hang over the opinions of the majority of that House would be dispersed; and that their views would at last become visible; and when that event occurred, if their intended policy should appear to tend towards liberal measures and liberal principles, he was sure he was speaking the sentiments of every noble Lord near him, when he said, they should have their most unanimous and cordial support.

The Earl of Coventry rose amidst loud cries of "question, question," and after silence had been obtained, exclaimed—"I am the Earl of Coventry; a few words from me. I think the country is in a safe state and I hope to find it placed in the hands of the Duke of Wellington. My Lords, I hope I have not detained you."

The Marquess of Northampton said, that he would never consent to any vote expressing approbation of any Government unless he knew what were the measures which that Government intended to bring forward. The finances of the country now required that somethingshould be done. What could they do? They must adopt the plan recommended by her Majesty's present Ministers—or borrow a loan—or further increase the taxes. Which of these plans were they prepared to adopt? He was bound to confess that whilst he voted for the Address, he did so with reluctance—for he disagreed with his noble

friends on the subject of the Sugar-duties, and also on that of Corn. He differed with them as to the first point because he thought that the change which they proposed would lead to an increased cultivation of sugar, and that must lead to an encouragement of the slave-trade. He thought that some negotiations might be entered into with the Brazils by which this country would consent to receive their sugar, if they entered into an agreement to abolish slavery. As to the Corn-laws, though perhaps they might be changed with advantage, he did not approve of the fixed duty sanctioned by the Government. The sort of Corn-law he would support, would be one which contained the qualities both of a graduated scale and a fixed duty.

Lord Brougham in the course of a long speech said, that he should vote in favour of the Address, although he did not wholly approve of the conduct of the Government. After adverting to the extreme fallacy of any arguments upon the Corn-law question, founded on a system of averages, the noble and learned Lord went on to say that he deemed the position in which her Majesty's Ministers stood to be a matter of great regret in a constitutional point of view. In counselling a dissolution of the late Parliament, it did appear to him that his noble friends had been guilty of a great error of judgment. It was wrong towards the state; it was wrong towards the sovereign; and it was doubly wrong towards those questions themselves, which as responsible advisers of the Crown they had brought under the consideration of Parliament. Would the questions suffer nothing by such large majorities pronounced against them? Undoubtedly a great injury would be done to these measures; they would be sacrificed in a hopeless attempt to prop up the fallen fortunes of a party in power who brought them forward. He would not admit that that was the construction to be put upon the verdict which the country had returned. He thought their Lordships would perceive that the verdict was on one issue and the trial on another, that the country had given its verdict against the men, but that on the subject of their policy no verdict had been given or opinion expressed. The shape in which the measures were brought forward appeared to be another and a very serious impediment to success. The measures were good in themselves. The principles on which they were founded were sound. They were calculated to relieve the trade of the country; but they were not brought forward as measures for relieving that trade. Upon that foundation they could have stood, and stood firmly; but they were brought forward as measures of finance. That was a rotten foundation, and upon that foundation they could not stand. As to the Corn-laws, it was a very considerable improvement upon the sliding-scale to substitute a fixed duty. He was against any sudden total repeal of the Corn-laws, or of what was called the protective duties, but he thought it ought to be gradual yet total, and no doubt in a few years the repeal might be completed. The total repeal of the Corn-laws would certainly reduce the price of corn, but the Ministerial proposition would not at all. He had always argued before their Lordships, and elsewhere, that the agriculturists as greatly exaggerated the effects to be anticipated one

way from the repeal, as the manufacturers did the other way. The Government had not the right to speak of their measure as calculated to cheapen corn, seeing that it could not possibly lower the price of corn one farthing. Still as a measure substituting a fixed duty for a sliding-scale it would produce most important and most beneficial results. In conclusion, the noble Lord said, that he would vote heartily for the Address.

Their Lordships then divided on the original question, when there appeared; Contents 96; Not contents 168. Majority against Ministers 72.

CHAPTER VIII.

Meeting of the New House of Commons—Election of Speaker—Mr. Shaw Lefevre is proposed by Lord Worsley, seconded by Mr. E. Buller—Sir Robert Peel declares his concurrence, and the Motion is carried without a division—The Speaker returns Thanks—Remarks of Lord John Russell, and Reference made by him to the preceding Speaker—Debate in the House of Commons on the Queen's Speech—The Address is moved by Mr. Mark Phillips, seconded by Mr. John Dundas—Mr. J. S. Wortley moves an Amendment, negativing the Confidence of the House in the Government—It is seconded by Lord Bruce—The Debate is continued for four nights—Summary of the Arguments of the various Speakers on both sides—Important Speeches of Sir Robert Peel and Lord John Russell—Division, and Majority of 91 against the Government—Mr. S. Crawford moves another Amendment—It leads to a Division of the Liberal Members: it is rejected by a large Majority—Answer of her Majesty to the Address, as amended—The Ministry determine to resign Office—Their Retirement is announced by Viscount Melbourne in the House of Peers, and by Lord John Russell in the House of Commons—The latter vindicates the course pursued by the Government—He deprecates personal Animosity between Opponents—Speech of Lord Stanley—He disclaims feelings of Enmity towards Lord John Russell—His remarks on the Language of the Royal Speech—Lord John Russell explains—Motions for New Writs on acceptance of Office by the New Ministers—The House adjourns for the Elections—Complete List of Sir Robert Peel's Administration.

THE first business to be performed by the new House of Commons was the election of a Speaker. To this event, on the present occasion, no particular interest was attached, as it was well known that it was not the intention of the Conservative party to offer any opposition to the re-election of Mr. Shaw Lefevre, who had given complete satisfaction to both sides of the House in the preceding Parliament. He was now proposed by Lord Worsley, who said, that he was sure the leading Members on the other side would gladly be presided over by a Speaker possessing, in so great a degree, the requisite qualifications for the duties of the Chair; and (from the cheers which ensued) he was glad to collect that there was no intention on the other side of proposing a Speaker inexperienced in the affairs of the House. He quoted the favourable opinion pronounced

on Mr. Shaw Lefevre in the last Parliament by Lord Stanley, and added a short panegyric of his own.

Mr. E. Buller, in seconding the motion, expatiated on the attention, ability, and impartiality, which Mr. Shaw Lefevre had always brought to that important part of his duty which related to private business, and dwelt upon his power of controlling in the Chair the unruly passions of the House. The re-election of Mr. Shaw Lefevre would be a high gratification to those whose original selection of him would thus be sanctioned by another vote in his favour, while it would do honour to the members of that party which had originally opposed him. Mr. Buller proceeded to say, "that whether the House should adopt those measures which he himself thought essential to the public good, or whether an opposite course should be resolved on—(*murmurs of disapprobation*)—perhaps he was deviating from the strict course of the business in which the House was then engaged, and if so, he threw himself upon its forgiveness; but, at all events, the advantage of so competent a Speaker could not fail to be felt in their deliberations."

Sir Robert Peel said, he intended on this occasion to act on the principle for which he had contended in 1835, and on which he had acted in 1837. That was the principle supported by the best precedents. Until the time of Lord North's objection to the re-election of Sir F. Norton, no Speaker in possession of the Chair had been deprived of it by an adverse majority. Mr. Pitt, Lord Grenville, and Lord Grey had acted on the principle he now supported. He admitted, certainly, that to such a principle there would be a fair exception in the case of an incompetent Speaker; but he was bound, in the present instance, to bear testimony to the merits of a Gentleman who had established in the Chair a moral influence of infinite importance to the due conduct of their proceedings.

Mr. Shaw Lefevre rose to express his gratitude for the commendations bestowed upon him, which he regarded as an ample reward for the toil and responsibility of the Chair. His official experience had taught him to see more clearly than ever the necessity of preserving not only the privileges of the House, but likewise its rules and orders. With that feeling, he should have great apprehensions in resuming the station he had filled, were it not for his reliance on the kindness and support of the House.

Having been then led to the Chair between the mover and the seconder, the Speaker returned his thanks to the House for the honour done to him, and assured them that no effort should be wanting on his part toward the discharge of the duty intrusted to him.

Lord John Russell congratulated the House on the unanimity of their election, and on the qualification of the Speaker elected. It had been his own habit to agree with the present Speaker upon most political and constitutional questions, and he rejoiced to see that both parties equally concurred in this day's choice. In 1835 he had thought that circumstances connected with the personal conduct of Sir C. Manners Sutton made it necessary, that in spite of that gentleman's eminent fitness for the duties of the Chair, another Speaker should be chosen; he had

not proceeded exclusively on the ground that the Speaker's politics ought to be those of the majority.

The House then adjourned.

Several days were then consumed in swearing in Members. This being completed, on the 24th August, the Speaker having read from the Chair the Speech delivered in the other House by the Lords Commissioners, Mr. Mark Phillips rose to move an Address in consonance with it. In adverting to our foreign relations, as indicated in the Speech, he declared the great satisfaction which, as the representative of a great manufacturing constituency, he felt at the restoration of pacific dispositions throughout Europe, and expressed his hope, that the dispute with China would be adjusted on a footing of general advantage to British commerce. He trusted that the House would adopt the recommendation in the Speech, for a careful examination of the present Customs' duties. Much complaint had been made on the opinions advanced in the report of last year's Committee upon Imports; but none of the objectors had attempted to correct those opinions by the appointment of another Committee for the revision of the subject. He intimated his approbation of the proposals made by Ministers respecting the Sugar-duties, and then proceeded to the question of the Corn-laws. He represented the distress in the districts within his own knowledge to be now unusually severe, and called upon the Members for other manufacturing constituencies to bear their testimony to the like effect. The people would not bear their sufferings patiently, while the monopoly occasioned by the present Corn-laws should continue unaltered. He had seen with disgust, in certain newspapers, an allegation, that England would be no sufferer if the ploughshare were driven through the manufacturing districts. Those who threw out such opinions should remember, that but for the manufactures exported from England, the articles of their own daily comfort would not be brought into the English market; they should remember, that the interests of the manufacturing were also the interests of the agricultural classes. He referred to the evils inflicted on the monied and other interests by that general contraction of a paper currency convertible into gold, which must needs ensue wherever gold was the only medium for the purchase of corn. He appealed to experience, to show the general inutility of protections to the very classes for whose profit they were intended. He urged the patience with which the people had endured their sufferings, and confidently appealing to the sympathy of the House, read the Address which he had risen to propose, and which as usual adopted, *mutatis mutandis*, the language of the Speech.

Mr. John Dundas, in seconding the Address, went cursorily through the principal topics of the Speech, and then expressed his hope, that the doctor about to be called in, who had declined to disclose beforehand his system of treatment, would in this, as in former instances, adopt the prescriptions of his rival practitioners.

Mr. J. S. Wortley trusted that the excuse would be found for his making so early an address to the House, in the circumstances under which he had been returned to Parliament, by a great body of that people to whom her Majesty had

directed the recent appeal to be made. It could not be otherwise than respectful, nay, it was due to the Crown, to carry up, at the earliest possible moment, the answer which the people had commissioned their representatives to return to her Majesty's question. In proposing to do so, he was following the example which, in 1835, was set by his predecessor, Viscount Morpeth, and recommended in the address then made by Lord John Russell to his constituents. The question was now, whether a Ministry circumstanced like the present Government were entitled to dictate the Address of the House of Commons. The Mover had attributed the existing distress solely to the rejection of the Ministerial policy; but this was not the question to-night. The House, before those topics should be argued, must decide what Government was to deal with them. The present Ministers had forfeited the confidence of the country by the pledges they had broken and the delusions they had attempted. The chief among them had been members of Lord Grey's Government, which had professed the great principles of peace, economy, and reform. They affected to have some exclusive secret for avoiding war. Now, in the fifteen years preceding their accession to power, the only act of war had been the accidental affair of Navarino; but in the ten years following their accession, the wars they engaged in, though little ones, were no fewer than five. Of their expenditure he would not complain, it might have been necessary; but what right had they to take credit for a superior saving, when they had increased instead of diminishing the burdens of the country? In their reforms they had certainly gone great lengths, but they had pushed their reforms in those directions only in which the tendency of them was to weaken their political opponents. They had boasted of governing without patronage; yet how had they lavished their places and their peerages! He then gave the history of their tergiversations on the subject of the Appropriation clause, and on the items of this very Budget, particularly on the Sugar-duty, as to which, so lately as last year, they had on principle resisted the alterations now so vehemently urged by themselves. He bore his testimony to the fortitude with which the people had endured their privations, and to their sagacity in detecting the delusive attempt made upon their understanding by a Government advancing Ministerial measures without Ministerial power to carry them. If, however, there was in the principle of free-trade something really valuable to the country, it would not be lost by the fall of this Administration. What had been the conduct of Viscount Melbourne on the Corn-laws? Only last year he had designated the idea of the now proposed change as absolute madness, and deprecated the scheme of a fixed duty as a movement that would stir up the very foundations of society. Mr. Wortley then observed upon the precarious state of our foreign relations, and noticed, in language of astonishment, the remarkable omission of all reference to our important discussion with the United States. Nor could he pass over the countenance given by the Government to agitation, and its alliance with those who, while on one day they offer the most fulsome adulation to her Majesty, on

the next are treasonably gloating over the prospect of foreign war, for the promotion of their own political objects. A Government, of which all these things were true, was no longer to be trusted with the management of public affairs; and he would now submit an amendment, by which he would propose to express the regret of the House at the recent increase of expenditure, its determination to provide for that increase, and its earnest desire to promote the welfare of her Majesty's subjects; and respectfully represent to her Majesty the necessity that her Ministers should enjoy the confidence of the country, which the present Administration did not possess.

Lord Bruce seconded the amendment. He hoped it would be his apology, that as the intention was to express the sympathy of the present House with that vote by which the last House declared the unworthiness of the Ministers, a member who had not belonged to the last House was, therefore, perhaps, a fitter exponent of this intention. The recent dissolution could have been justified only by a successful event; its failure was conclusive against the Government. Had Lord John Russell, in his late address to his constituents, expressed his regret for the advice he had given, or for the aggravation which the dissolution, by its suspension of all business, had added to the distress of the operatives? Had he informed the citizens of London that Ministers had resigned their offices into the hands of the Sovereign, or that they had desisted at least from the exercise of Ministerial patronage? The Gazette gave the lie to the latter hypothesis. These were the men who, not content with the condemnation of one House of Commons, had braved the indignation of a second. They had tried to engross the public mind with the subject of free-trade, conveniently for themselves, if attention could thus have been diverted from their various delinquencies; but the public had come to the conclusion, that their schemes had neither the caution of Mr. Huskisson nor the manliness of the Ultra-school. For his own part, he could consent to no plan of free-trade, which was to throw vast numbers of his fellow-subjects irremediably out of employ. He strongly condemned the imputations cast upon all who opposed the Ministerial project. Of all monopolies, the most arrogant and intolerable was the affected monopoly of all public virtue. Great as were the difficulties of the time, he trusted that Sir Robert Peel would meet them with a firm reliance on the support of the people; and when at last, in course of time, he should be succeeded by other statesmen, would leave them a legacy far different from that which he was now about to receive from the Whig Administration.

Mr. Labouchere said, that the Ministers were as glad as their opponents, that the time had come for fully expounding their policy, and for quitting their position if that policy should be disapproved by the House. He admitted the course taken by the Opposition to be a fair one, but he had listened in vain to learn what policy it was on which they were prepared to bestow their approbation. Much was said of the retention of office by the present Ministers, in the face of a manifest majority; but Sir Robert Peel had done the same

thing in 1835, even after a defeat on the Speaker's election, and another on the Address. Mr. Labouchere then claimed credit to Earl Grey's Government for having done all that was possible, and under difficult circumstances, to fulfil their pledges of peace, economy, and reform. Happy would be the new Ministers if, for the next ten years, the state of Europe should be as peaceful as for the last ten years it had been. As to economy, it was rather the province of the Opposition than of the Ministers to control expense; but the Ministers had conducted their expenses in the spirit of economy, which was all they had assumed to do. As to reforms, they had effected many, in which they had no party object whatever; and he looked back to those reforms with feelings of unmixed satisfaction. In matters of commerce, there had been but little of legislative reform from any Ministry. Mr. Huskisson's reforms had been reluctantly permitted by his own adherents, but supported by the Whigs, who always had refused, and, he trusted, always would, in or out of office, refuse to meet questions of commerce as questions of party. The difficulties which always beset commercial legislation had undoubtedly checked the Whig Ministers in this kind of reform. But they had at length resolved to bring the whole subject under the consideration of the House. He recapitulated the commercial measures introduced by them last spring, beginning with the Bill for the relief of the West-Indians from the old limitations of their markets, and proceeding to the proposals of alterations in the Sugar-duties and in the Corn-laws. On this last subject he professed himself unable to understand the views of those who brought forward the amendment; but if ever there was a time for revising these laws, it was the present. For some time past we had annually imported 1,500,000 quarters of corn, and it was idle, therefore, to talk about preserving ourselves in a state of independence of foreign supply. Our imports of corn from Ireland, too, had been for some years on the decrease. He then commented severely on the fraud occasioned by the present mode of taking the averages—a fraud which he knew of no means to prevent, but by which the landed interests were deprived of their desired protection for the benefit, and at the pleasure, of speculators and gamblers. Whatever protection, therefore, the House might think fit to give, ought, in his opinion, to be given in the shape of a fixed duty; nor could he comprehend how a sliding-scale, which was applicable to no other commerce, should be good for the trade in corn. But how were the deficiencies of the revenue to be supplied? Not, surely, by fresh taxation. He was himself persuaded, that much might have been done for the relief of the people by the removal of various Import-duties, and he exemplified his opinion by some details. He then repeated the often-made call upon the leaders of the Opposition, to declare their own view of public policy, for the country would not be satisfied if the result of this debate should be a mere recommendation of a change of Ministers instead of an undertaking to consider the great questions referred by her Majesty to the House of Commons.

Mr. D'Israeli observed, that Mr. Labouchere's parallel between Sir

Robert Peel's Government and the present was defective in these respects—that no vote of want of confidence was recorded against Sir Robert Peel, and that his dissolution made an unprecedented addition to his numbers. The ground which the people had taken in the late elections was, that the affairs of this country ought not to be left with a Government whose councils were held, not to deliberate upon public measures, but to devise the means of securing a majority. What had that Government done since the vote denying to it the confidence of the House, to justify the restoration of Parliamentary support? They had proceeded to a dissolution, and the result of it proved that it had been either a blunder or a crime. They had profaned the name of the Queen at their elections, as if she had been a second candidate at some petty poll. It had been said, that the sovereign of a faction was the sovereign but of part of the people; but a Whig sovereign would be the sovereign of not half, no, not an eighth, of the people. The Whigs ought to blush for the position in which they had placed their sovereign. Would they found their claims to confidence upon the Speech this day delivered? It was a speech made by a set of men who continued, in some mysterious way, to be Ministers still, though their leader himself, in his late letter to his constituents, had avowed that the majority of the House was opposed to his Government.

Mr. Bernal, jun., thought Mr. D'Israeli but little entitled to inveigh against the Liberals, inasmuch as he had formerly been of their opinions. Mr. Bernal thought the Corn-laws ought to have been remodelled before the present Poor-law was passed.

Sir C. Napier desired the Opposition to remember, that the wars waged by this Government, if they had been little wars, had been wars of little expense and productive of great results. Those wars had given a free government to Spain, and had put down a gross tyranny in Syria.

Lord Pollington admitted, that the best part of the Ministerial policy was the foreign, but thought that even as to this there was but too much ground for censure. He adverted to the composition of the majority on his own side; it was a majority returned by the counties, while the rotten boroughs of Malton and Calne were represented on the Ministerial benches.

Mr. Roebuck declared that he should vote in favour of the Amendment, but not for the reasons given by those who brought it forward; for his cause of dislike to the Whigs was, that they too much resembled the Tories. The present question would be, which party would serve the public best; and in order to decide that, he would take a retrospect of the conduct of both. The Whigs were now ruined; not, however, by the Conservative feeling of the people, but by their own misconduct—by their stopping short in the reforms required of them; and they could recover their power only by a long virtuous course of opposition. It was unavailing for the Ministers to complain that they had been defeated by bribery and intimidation, for these were the natural incidents of the system which they had protected. Looking back for the last ten years, he found Sir Robert Peel and his party opposing all reforms. The Conservatives at

the late elections had, moreover, basely, and with every vulgar art, endeavoured to gain favour by condemning the Poor-law which their leader had supported, and their leader had not dared to rebuke them. Such were the merits of the two contending parties. The Tories would now rule, for they represented the majority; it was the majority indeed of the constituencies, not of the people; but that was the fault of the Ministers, who would not invest the people with elective power. He then reviewed certain parts of the foreign policy of the Government. He condemned the war with China, and declared his entire approval of the conduct pursued by the American government in the affair of M'Leod, upon which he entered into a long disquisition.

Mr. Muntz said a few words in explanation of his own views, as to the effect of Corn-laws upon wages.

Mr. Ewart moved an adjournment, on which the gallery was cleared for a division, but the House finally adjourned without dividing.

The adjourned debate was begun by Mr. Ewart, who began by complaining that sympathy was not enough for the people; they asked for bread, and must not be put off with a stone. He admitted that the constituencies had decided against the existing Government, and that it must now therefore make way for a new Ministry; but he expected that Sir Robert Peel, as in the case of the Roman Catholic question, would himself do the very thing he had resisted, and, like Shakspeare's apothecary, excuse himself by saying, "my poverty, but not my will, consents." The rest of Mr. Ewart's speech was an extended disquisition upon those general principles of political economy, on which the doctrines of free-trade are founded.

Captain Hamilton desired to recall the House to the real question, which was that of confidence in the Ministry. Mr. Hume in the debate on the confidence question in the late Parliament, had cautioned him and other members as to the account they would have to give to their constituents. In this Mr. Hume must have much miscalculated the opinions of the electors, else, why was he not here?

Mr. Ward admitted, that the election of the member who had moved the amendment was a great triumph to his party, but thought it also one of the greatest mistakes which had been made by the people. Members seemed to have two sets of opinions—one for the hustings, and one for the House. The mover had presented himself to the West Riding as the champion of the Corn-laws, but in his speech to this House he had taken no notice whatever of that subject. There was another matter which he did notice—that of the Appropriation clause and its abandonment by the Whigs—a bold argument from a supporter of that statesman who had so signally abandoned his own opinions on the other great Irish question, the Roman Catholic Relief Bill. For his own part, he blamed both Lord John Russell and Sir Robert Peel for not having resigned at once, rather than submit to take a course opposed to their former declarations, and both of them had suffered for the mistake. The harvest would soon neutralize the efforts of the new majority. His accounts led him to anticipate a woeful deficiency, which would be seriously aggrava-

ted by a few more such days as that which had just closed. (*Cries of "No."*) Such at least were his accounts; perhaps they varied with each man's political wishes. (*Cheers from the Opposition.*) He did not wish to make the weather a party question, but he would have the House remember that four millions sterling in gold must go out of the country to purchase the supply which would be wanted. He then went on to argue for the principle of a fixed duty, as against that of a sliding-scale. The result of the present system was an extensive decay in the manufacturing districts. There were now in Sheffield 2,000 unoccupied houses, which had been tenanted when first he knew them. The circumstances of the country would not be improved by the expensive measure of Church-extension, nor was much good to be expected on the subject of the Poor-law from a leader whose supporters had gone so far at their elections in vituperation of its principle. For Ireland, he saw much to regret, and nothing to rejoice at, in the change of policy now at hand; most of the principal members of the Conservative party were even personally committed against the Irish people. Considerations like these should lead the House to pause before they voted the transfer of power to such hands.

Mr. C. J. M. Sutton said, that just as the Members of that House were bound to prove themselves qualified for their seats, so ought the Ministers of the Crown to substantiate their qualifications for their offices. He would not now detain the House upon the question of the Address, but he would take the liberty of asking Lord John Russell to what he had alluded in saying, on the late election of the Speaker, that he had been induced to oppose in 1835 the re-election of Sir C. Manners Sutton on the ground of his personal conduct.

Lord John Russell answered, that as Sir Robert Peel had referred the course taken in 1835 solely to the principle then affirmed, that the Speaker's opinions ought to be those of the majority of the House, he had thought it right to explain that he had himself proceeded, partly at least, on another ground: which was, that Sir C. M. Sutton, then Speaker of a House of Commons containing a large majority of members favourable to Lord Melbourne's Government, had attended Privy Councils held for the purpose of transferring the powers of the State to the party of the minority. He acquitted Sir C. M. Sutton of any intentional disrespect to the House in attending those Councils, but he regarded such attendance as an error of judgment sufficient to exclude him from the chair.

Dr. Bowring enlarged upon the present suffering of the manufacturing poor, and ascribed it to the present state of the Corn-laws. He represented the impossibility of preserving our foreign commerce without great legislative alterations, and warned the House that it must either go forward toward liberalism, or backward toward perdition.

Mr. Patrick Stewart denied that the question of Confidence in the Ministry was the only proper matter of this debate. Representing a great Scotch county, where distress prevailed among the agricultural as well as among the manufacturing classes, he would contend for the principle of free-trade advanced by the Ministerial Bud-

get. As a colonial proprietor, he hailed the system now proposed, which went, for the first time, to treat the British colonists simply as British subjects. He contended for a fixed duty on corn in preference to a sliding-scale. Ministers had been blamed for agitation upon this subject, but it was a subject on which he thought agitation fully justifiable, and which, being agitated, was properly made the ground of a dissolution. He censured the language held the preceding night by Mr. Roebuck on the case of M'Leod, and declared his opinion, that whatever harm should be done to M'Leod, was done to the British nation. And he equally differed from Mr. Roebuck on the question with the Chinese, who ought, in his judgment, to be made to pay for every pound of the opium seized. It would be fair to give credit to the Ministers not only for their conduct in these matters, but for the beneficial legislation of several years past—for the Reform Acts, the Corporation Acts, the Poor-laws, the Tithe Act, the Registration of Births, the changes of the Criminal Laws, and the union of the Canadas. With respect to their Budget, it had many merits, but certainly not that of originality: for its leading features would be found in a pamphlet attributed to Sir James Graham, on Corn and Currency, which had gone through four editions. He hoped that Sir James, when he returned to office, would return to his old opinions. After some pleasantries in reference to Sir Robert Peel's sketch of a Chancellor of the Exchequer fishing for a Budget, he concluded with a declaration that he would not rest by day or by night from worrying his opponents to carry out the principles for which he had now been contending.

Mr. Sharman Crawford denied the existing Corn-laws to be for the advantage of the agricultural interest in general. They benefitted the landlords only, not the tenants, nor the labourers. He found fault with some omissions in the Address, but declined to support the amendment.

Mr. Cobden thought that if gentlemen on the other side did not choose to answer the speeches in favour of the Address, that was no reason why the friends of the Budget should not do their duty by stating their opinions. He would express his own hostility to the taxes upon food, upon the subsistence of honest, struggling, working people. It pressed upon them in an infinitely heavier proportion than on the rich, for the family of a man worth 20,000*l.* a year scarcely consumed more bread than the family of the poorest labourer. It was alleged on behalf of the Corn-laws that they protected the labourer—that the object of the manufacturers in seeking a repeal of the Corn-laws was to effect a reduction in the labourers wages. No: the real object of the manufacturers was to increase trade; that would increase the demand for labour, and with the demand the wages of labour must also be increased. There was no connexion between a high price of food and a high price of labour, except perhaps in agricultural districts, where the stipend of the labourer in dear seasons received some addition, as matter of charity. The reports produced at the recent conference of ministers at Manchester exhibited a lamentable account of the diminution in the people's means

of subsistence. Those ministers were now praying in their respective places of worship, that the hearts of the legislature might be turned. If it was criminal to steal a man and make him work for nothing, it was equally criminal to steal from a free man the fair reward of his labour, and the House should beware how it enlisted in such a cause the teachers of religion. This was surely a subject that might claim priority over a question, whether a gentleman on one side or a gentleman on the other should be a Minister of the Crown. He would quote a passage from Mr. Huskisson in order that the real opinions of that statesman might be more accurately known, that Sir Robert Peel might not fancy he wore Mr. Huskisson's mantle, when in fact he was but putting on his cast-off garments. The passage in question went to show that the repeal of the Corn-laws would not necessarily injure the landed interest. It was happy for the country that no Ministers could go on without money, and money they could not have, except in a prosperous state of the mercantile and manufacturing classes.

Mr. H. Baillie expressed his belief that the distress of the people was rather to be attributed to the increase of machinery: if he thought it was owing to the Corn-laws, he would vote for their repeal.

Mr. Brotherton advocated an opposite view.

Mr. H. Grattan said, that at no one election in Ireland had there been any expression of determination to maintain the Corn-laws—a sign that the Irish would make great personal sacrifices to show their disapprobation of the threatened change of Ministry. It was not respectful to the Crown to say that you would give no answer to its Message until it should have dismissed its messengers. The party opposite boasted of their majority; it had been returned by bribery, it had been returned by intimidation. He called on Sir Robert Peel to keep his followers in order; but apprehended that the right honourable Baronet, like Actæon, was likely to be eaten up by his own hounds. Mr. Grattan complained of irregularities at several elections, and of the employment of military, with an enthusiasm and energy which occasioned a good deal of cheering and laughter. At one election, said he, an officer stated, that apprehending a riot, he had ordered out "Justice to Ireland;" and being asked what he meant by justice to Ireland, he answered, "A six-pounder." The party who were now declaring war against Ireland had better beware of America. He would not fight the battle of such a party against an American, or any other external invasion. He censured the ingratitude of the English people to the Whig Ministry, and trusted that his own countrymen would ever be united in the cause of civil and religious freedom.

After a few words from Lord Worsley and Mr. Hastie, the debate was again adjourned on the motion of Lord Sandon.

Lord Sandon, who opened the adjourned debate on the following evening, began by contending that the question of free-trade was not that upon which Parliament was sent to the country; for if a single defeat were a sufficient motive for the dissolution, the Ministers had often had that motive before. It was the distinct condemnation implied in the vote of want of confidence which really obliged the

Ministers to dissolve, and that therefore was the question actually submitted to the country. Speaking for himself, he could truly say that he appealed to his constituents to know whether they approved of the Government's Irish Administration, of their conduct with respect to the Church, and the distribution of patronage and magisterial appointments: questions more deeply and permanently affecting the interests of men than the questions whether a sliding-scale should be preferred to a fixed duty, and whether Brazil sugar should be admitted at one time or another; and the verdict of the people was given on these questions. He believed, indeed, that it also intimated that the people were not satisfied with the propositions of Government; though he did not mean to say, that in returning him, who preferred the sliding duty to the fixed duty, they expressed any opinion on that point; yet he did believe, that they gave the negative to the proposition of Ministers for the total abolition of the Corn-laws. They might be, and he believed they were, divided on the mode and degree of protection; but he believed that the great majority were entirely united on the principle that domestic and colonial produce were entitled to protection. He was not insensible to the sufferings of the people, but he thought that the question of measures like these could be more safely intrusted to others than the present Ministry. Lord Sandon pointed with satisfaction to the fact that the price of sugar was still low: showing, contrary to the predictions of the opposite party in the debate on the Sugar duties, that there was an increased supply from the West Indies.

Mr. M. Gibson expressed his disbelief that Lord Sandon really represented the opinions of Liverpool, but being admonished by the Speaker that it was irregular to make such an assertion respecting a Member of Parliament, he qualified what he had said on that point. He then complained of the doubt and uncertainty in which the country was left as to the policy intended to be pursued by Sir Robert Peel on his succeeding to the Government, which, he said, were much more likely to produce those injurious effects upon trade and commerce which were imputed to Ministerial agitation. He referred to the declaration of the Duke of Richmond in the House of Lords, that if the new Minister should attempt to introduce anything like the measures of the Whig Government, the landed interest would drive him from power. He, Mr. Gibson, however could not believe that the right honourable Baronet, if he came into office, would abandon that sound principle which he had so emphatically laid down at the time of introducing the Roman Catholic Relief Bill—that of yielding to the pressure of the times, and conceding when no longer able to resist. Surely he could not shut his eyes to the fact, that at the present moment, such was the state of our commercial interests, so great was the distress and difficulty of obtaining employment for the labouring classes, and such was the spirit of discontent and disaffection growing up in the country, that he would be unable to resist the repeal of the Corn-laws, and the relaxation of our commercial code. Mr. Gibson cited the testimony of an American gentleman, Mr. Curtis, to show that the chief thing sought

in the repeal of the Corn-laws was not reduction of prices, but the means of exchange with other countries. He acquitted the supporters of the Corn-laws of sinister motives; but it was an unfortunate coincidence that the peculiar interests in that House were so nearly allied with the preservation of those monopolies—they were told that the Corn-laws produced permanent employment for a large portion of the population: but how stood the fact? The fact was, that the Corn-laws did not even afford the means of giving employment for the agricultural population. If they referred to the state of the population between 1821 and 1831, the ten years included in the last census, it would be found that while the population of the whole country had greatly increased, the number of persons engaged in agricultural pursuits had diminished to no less an extent than 17,000 families. This was a very remarkable fact, if they looked to the circumstance that the population of the whole country had greatly increased. It should also be recollected that the Poor-law Commissioners in their Reports stated that pauperism existed in a much greater extent in the agricultural than in the manufacturing districts. Even if it were found that the Corn-laws afforded ample employment for the agricultural portion of the population of the country, what advantage could possibly arise in thus keeping in employment one class of the community by keeping another class out of employment? No doubt gentlemen opposite were fully justified in discussing the question of want of confidence; but it was not respectful to the country to pass over the question of the Corn-laws, which pressed so heavily on its great interests. From the general avoidance of the subject, however, it almost seemed as if that silence had been planned and arranged at the great divan, which, according to the newspapers, assembled at Sir Robert Peel's house on the previous Sunday.

Mr. Borthwick contended that the present question was substantially one of confidence in the Ministry: at the proper time he undertook to show that the existing distress had no connexion with the Corn-laws. The question before the House was not whether they should discuss the Corn-laws, but how they were to arrive at a discussion. The present Ministry were obstacles to it, and they must be removed before the subject could be fairly dealt with. The distress was owing to their conduct, in neglecting practical matters while they were wrapped up in theoretical abstractions. Look at Spain and Portugal, where they had lost a market for manufactures of 14,000,000*l.* sterling, the amount which those countries used formerly to take; while now they barely take enough to cover the pay of the miserable legion. Mr. Borthwick promised for Sir Robert Peel that he would govern Ireland with even-handed justice, and without mixing up theological and political questions.

Mr. Smith O'Brien supported the general policy of the Government.

Colonel Sibthorp made a humorous speech against the Ministry, especially with reference to the appointment of Sir John Campbell to the Chancellorship of Ireland.

Mr. B. Escott followed on the same side in a discursive commentary on the remarks of other speakers. He deprecated Mr. Roe-

buck's imputing "sordid and mean" motives to the impugners of the Poor-law, and his calling the agricultural interest "the starvers of the poor." He contrasted Lord John Russell's claims to the confidence of the country with those of Sir Robert Peel; while the former talked of his regard for constitutional principles, the latter showed his regard for them rather by his acts than by his professions.

The Chancellor of the Exchequer said, that if the Government had forfeited the confidence of the country because it had broken the engagements of Earl Grey's administration, there were two gentlemen opposite whom he should beg to put into the criminal's box in company with the present Ministry: Lord Stanley and Sir James Graham: they shared the blame of the "little war" in Antwerp, and the war in Spain; they shared also in Parliamentary Reform, and even in the preliminary steps of Municipal Reform.

Mr. Baring defended Government from the easily-uttered charge of profligate expenditure. He quoted a return to show, that in the five years preceding 1830 the average yearly expenditure was 54,999,000*l.*, while the average expenditure of Lord Melbourne's Government, since their accession to office in 1835, was 52,148,000*l.*: a decrease of 2,450,000*l.* Or, taking the three years of the Duke of Wellington's Government, which exhibited an average of 53,462,000*l.*, the decrease appeared to be 1,313,000*l.*; or comparing the Duke of Wellington's average with the very expensive year just past, the decrease was 18,000*l.* When the Whigs came into office in 1831, the whole public debt was 838,549,000*l.*; in 1831, including the 20,000,000*l.* of West-Indian compensation, there was a decrease of a million; or excluding it, the debt was 815,597,000*l.* He went on to explain that the use of the Savings Banks funds caused no insecurity: the depositors had the same guarantees as the holders of the public stocks. He justified the policy of Government in getting rid of the cumbersome and delusive sinking-fund, by the increase which it had induced in the revenue; in 1831, the revenue was 51,000,000*l.* and odd; in 1839, it was 51,927,000*l.*, though taxation had been taken off to the extent of six millions.

Mr. Goulburn combated these statements and inferences. By taking the average of the expenditure in the five years ending with the Duke of Wellington's Administration, a delusion was practised: for that expenditure in the first year was at a very high amount, and it was continually decreasing: the proper point of comparison, therefore, would have been the last year under the Duke. The extravagance chargeable against the Ministers was not that they spent so much, but that they did not apportion their expenditure to their income. But Mr. Baring's financial sagacity exceeded anything on record: he said that the Government had reduced the debt by 13,000,000*l.* in ten years. Mr. Goulburn explained this fallacy. At the time when he was Chancellor of the Exchequer, he brought into Parliament an act which gave the power to the Commissioners for the National Debt to cancel portions of the debt on granting to the parties annuities for terms of years. The effect of this was to create a sinking-fund, which dimi-

nished the amount of the capital of the debt, but increased the annual charge to which the country was subjected. Suppose that these annuities were granted for twelve years, they were worth twelve years' purchase from the commencement only; but the right honourable Gentleman valued these annuities still at twelve years' purchase. Mr. Goulburn, having an additional charge to provide for, took care so to regulate his financial income as to meet it. At the end of ten years they had two years still to run, and were in reality worth two years' purchase instead of twelve; and what did the right honourable Gentleman do? Why, he conveniently took the difference as a material deduction from the national burdens! Mr. Goulburn expressed his satisfaction that Mr. Baring had disabused the public mind as to any insecurity in the Savings Banks: but he objected to Mr. Baring's conduct in that matter. The Savings Banks had the power of vesting the monies received by them in any security which they might think most eligible, and morever, if they invested them in Exchequer-bills, of ransoming them, and requiring the Government to furnish them with new stock, which must be added to the principal of the Funded Debt of the country. This power was given with a view to meet the cases of Exchequer-bills which from time to time it became necessary to fund, but not to enable a Government artificially to provide a temporary revenue without the knowledge of Parliament. Yet this was the course to which the Chancellor of the Exchequer had resorted; and the money thus obtained from the Savings Banks was applied to the current expenses of the year.

Mr. Wakley ridiculed the way in which the public accounts were kept, so that one gentleman could prove a gain and another a loss at the same time. He then argued at considerable length to show that the Ministers were entitled to a hearing of their measures in the new Parliament, which Sir Robert Peel claimed and obtained to its fullest extent in 1835, though beaten from the first in division after division. By doing otherwise now — by setting the royal Speech at nought—the majority were acting to the injury of monarchical institutions. However, Sir Robert Peel should have no factious opposition from him. If Sir Robert Peel avoided bad advice, he might do incalculable benefit; but if he went on in the old Tory track, he would raise up a great national party to oppose him. Mr. Wakley recommended a revision of the Currency Bill of 1819: a debt had been contracted in paper which the nation was now called on to pay in gold. But if Sir Robert Peel should come into office, who were to be his colleagues? Did he agree with Sir James Graham about currency? or with Lord Stanley about Ireland? Mr. Wakley advised Sir Robert Peel to administer soothing medicine to Ireland; and commended the Poor-law to his serious attention.

After this speech the debate was again adjourned.

It was resumed on the following night by Mr. Villiers. He attributed the silence of the Conservative party on the topic of the Corn-laws, to an apprehension entertained by them, that at this critical moment the open profession of

their opinions might disgust the country. He believed their majority was owing to one section of the popular party, to the Chartists and the paupers, who wished to make them the instruments of chastising the other section. He believed with Mr. Roebuck, that the Ministers had lost their power chiefly by having failed to fulfil their promises to the popular party, though he thought that too much had been made of Lord John Russell's unguarded expression about finality. However, that noble Lord had gone far to redeem himself by his conduct upon the new measures of finance. The opposite party were coming in upon the ground of resistance to the principles of commercial freedom, and to such a party he could not give his support. He then read, from statements produced at the Manchester Conference, some details, showing an increase of mortality in certain manufacturing districts, which he ascribed to the want of food. Whenever the price of provisions rose, wages remaining the same, the labourer had less to spend in those coarser manufactures which they usually consumed, and by the consequent discontinuance of orders for goods, the manufacturing operatives were thrown out of employ. He then controverted the opinions expressed by Lord Stanley on the subject of protection to agriculture, in a speech lately addressed by him to his constituents in Lancashire, and professed his own inability to understand, why it should be better for a country to encourage a population dependant on landlords than on manufacturers. He believed that the opinions he now supported had gained ground in the country, and Sir Robert Peel, who possessed great moral influence over his party, would be under a proportionate responsibility for the course which should be taken on this important subject.

Lord F. Egerton bore a general testimony to the distresses of the manufacturing population, but he apprehended that on the question of the remedy there was hardly less difference between the Ministers and the Conservatives, than between the Ministers and the whole-length abolitionists who supported them. The Chancellor of the Exchequer had complained that no explanations were given in this debate of the future policy of the Conservative party, that they were performing the play of Hamlet with that character omitted. But, for his own part, he did not wish the play got up at all till there should be a new company of performers. He then, in a graceful allusion to Lord Morpeth, to whose defeat in Yorkshire he applied the lines,

> "Nec te tua plurima, Pantheu,
> Labentem pietas, nec Apollinis infula, texit."

—inferred the people's disapproval of the Whig Government, since neither private character, nor public worth and talent could compensate in their eyes for the one defect of belonging to that Ministry.

Mr. O'Connell said, he stood there the representative of two of the largest agricultural counties of Ireland, containing more than a million of people, who had returned him with full knowledge of his opinions on the Corn-laws. The landlords supported those laws, so unjust to the operatives, for the purpose of increasing their own rents, and then affected a sympathy with the people. He would

only agree even to the 8*s.* duty, as an instalment, till he could get rid of all protection whatever. The present law was doubly iniquitous, as it raised prices, and at the same time diminished the vent for manufactures. He was weary of experiments on the poor. He had heard of a man who complained that nothing would fatten his horse, though he had tried tobacco, and twenty other things. A friend asked him, "Did you ever try oats?" He wished the legislature would try the people with bread. He then expatiated upon the benefits which, he said, the present Ministry had conferred on the nation, in the mitigation of the criminal law; in the diminution of the stamp duties on periodical publications; in the lowering of the postage; in the reduction of one-fourth of the tithes—a step, he hoped, towards their total abolition; in the destruction of rotten-boroughs and self-elected corporations; in the emancipation of 100,000 slaves; in the improved and conciliatory administration of Ireland. What had the Tories done for a liberty-loving people? They had been the uniform opponents of civil and religious freedom; they had been the especial foes of Irish rights. England boasted her resistance to Charles the 1st and James the 2nd; but the Tory party were the supporters of both. They had not, however, yet got the crown into their custody—they, the inventors of so many disloyalties against their queen—a party, the curse of mankind. Never were there such gross briberies as at the recent elections. Much of their success the Tories owed to their hatred of Ireland, and much to the sordid selfishness by which the farmers had been persuaded that their interests were knit up with those of their landlords. He inveighed against Orangeism in Ireland, and complained of the insignificant proportion of Irish voters to Irish population. If the new Minister should exercise his patronage fairly, he would lose his Orange supporters; if unfairly, he would, if not lose Ireland, deserve to lose her. But his power might not be of long endurance. Power was in its nature unpopular; and the millions without the franchise would make themselves felt. Never did party come into power under greater difficulties; man's infirmity was God's opportunity, and justice to Ireland would at length be compelled.

The two most interesting speeches delivered in this long debate were those with which it concluded, the speeches of Sir Robert Peel and Lord John Russell; the former, now standing on the threshold of office, the latter, addressing the House, in his last words as a Minister of the Crown. The ability of these orations, and the great importance of the statements which they contained, the one as the programme of the future Government, the other as the vindication of that which had for so long directed the councils of the nation, demand a more expanded view of their contents than we have been able to afford to the arguments of the other speakers.

Sir Robert Peel began by commenting in terms of severe reprobation on the language used by the Member for Dublin. He said he would have felt more acutely the vituperation of Mr. O'Connell, if those very men, whom he described as having done so much good to Ireland, had not been

loaded with it. If that party had acted so well to Ireland, why did Mr. O'Connell come down to the House night after night, and increase their difficulties, denouncing their measures to the country by every calumnious expression which an imagination fertile in calumny could invent? Sir Robert Peel soon dismissed this topic; regretting that he had been provoked to the use of irritating expressions, as he desired to discuss the great question before the House in a temper worthy of the occasion. For ten years he had conducted an opposition to Government and ultimately expressed his direct condemnation of it, with the absence of every expression of acrimonious or personal hostility. Now that that opposition was likely to be attended with success, it was not the time to be betrayed into a different tone. Sir Robert Peel contemplated the difficulties which the aspect of public affairs presented, with no unmanly shrinking, but with a sense of the awful responsibility which public office involves. Briefly noticing some points in the earlier portion of the speech, he rejoiced in the cessation of the estrangement from France. He hoped the reconciliation would be more than nominal. He had read with the utmost satisfaction M. Guizot's frank declaration, recently made of the pleasure he felt at the good understanding between France and the powers of Europe. What, indeed, was the first interest to which it behoved European powers to attend?

"Is not the time come when the powerful countries of Europe should reduce those military armaments which they have so sedulously raised? Is not the time come when they should be prepared to declare that there is no use in such overgrown establishments? What is the advantage of one power greatly increasing its army or navy? Does it not see, that if it proposes such increase for self-protection and defence, the other powers would follow its example? The consequence of this state of things must be, that no increase of relative strength will accrue to any one power, but there must be a universal consumption of the resources of every country in military preparations. They are in fact depriving peace of half its advantages, and anticipating the energies of war whenever they may be required. I do not mean to advocate any romantic notion of each nation trusting with security the professions of its neighbour; but if each country were to commune with itself, and ask, 'What is at present the danger of foreign invasion, compared to the danger of producing dissatisfaction and discontent, and curtailing the comforts of the people by undue taxation?' the answer must be this, that the danger of aggression is infinitely less than the danger of those sufferings to which the present exorbitant expenditure must give rise. The interest of Europe is not that any one country should exercise a peculiar influence, but the true interest of Europe is to come to some one common accord, so as to enable every country to reduce those military armaments which belong to a state of war rather than of peace. I do wish that the councils of every country (or that the public voice and mind, if the councils did not) would willingly propagate such a doctrine."

Nothing could be more un-

founded than the belief which Sir Robert Peel considered to be too popular in France, that the old feeling of national hostility still prevailed in this country. There was no other wish but that France should consolidate the free institutions by which she is governed, and advance in science, in the arts, and in commerce. He hoped that the time had gone by when public men could be influenced by the imputation that they were afraid of war.

"You can't conduct war as Bonaparte did: no power in Europe can do it: you can't make the country you conquer bear the price of the conquest. The thing is impossible. With states, as with individuals, that most unpleasant day the day of reckoning comes round; and when, in their sober moments, men calculate the relative advantages of immense armaments, and the illusions of military glory, with the cost of the taxes to pay for such exploits, they come to take a calmer and more discreet view of the comparative advantages than they could be expected to do in the moment of excitement. The expression of these sentiments is perfectly consistent with an earnest determination, if occasion should require it, to risk anything that the honour and interests of the country may require."

Sir Robert Peel regretted the omission of all mention of the United States in the Speech, because it seemed to show that there was nothing agreeable to say; and though he did not press for an answer to Mr. Roebuck's questions, (concerning Mr. M'Leod's affair) he could not regard Viscount Palmerston's explanation either as full or satisfactory. He then passed to the questions immediately connected with the amendment. He adhered to his determination, not prematurely to develope his plans for remedying the financial embarrassments of the country: a determination which had been sanctioned by the late elections. He protested, however, against the assumption that he was adverse to the removal of restrictions on commerce, or hostile to the principles of Free-trade, because he opposed the individual measures of the Government; he protested against the principles of Free-trade being tried by any such test. He had proved his attachment to those principles so early as 1825, when he was entrusted with the preparation of the Speech from the throne, which recommended the removal of restrictions on commerce — further, carrying out the policy of Mr. Huskisson. He had supported Mr. Labouchere's measure to prevent the necessity of carrying coffee round by the Cape of Good Hope; another for regulating the duties on East and West Indian produce; and he had not made any formidable objections to another for the free importation of provisions and lumber into the West Indies. No rational objection could be urged to the removal of duties, trifling in amount, but vexatious to commerce. He could not acquiesce in the terms of the Address, however, because it was so framed as to solicit an opinion in favour of the three particular measures of the Budget, and acquiescence might be construed into approval of the details of those measures. Sir Robert Peel then repeated several objections which had been urged against the proposed change in the Timber and Sugar-duties. A despatch of Lord John Russell's had just been published in which he promised to send 100,000*l.* a year

for the fortification of Canada. Sir Robert Peel did not say it was improper to do so; but if it were right, then it indicated a state of public feeling which justified his hesitation in increasing the embarrassments of the Canadian government, which Lord Sydenham said the alteration of the Timber-duties would do. Then with respect to the Sugar-duties; it had been said, that he meant to confirm himself in power by proposing measures such as those which he had opposed; he contemplated no such thing. Seeing that they had intended to admit the sugar of Cuba and Brazil at a differential duty of 12*s.*,—that they had made no stipulation with those countries in respect to slavery; that the promised increased supply from the East and West Indies had given assurance of a reduction in the price, he thought the proposed change impolitic. Mr. Labouchere had quoted details to show that the supply had decreased; but why had he omitted the last three months in the calculation? The price of sugar in September 1840, was 58*s.* 4*d.*; in January last, 50*s.* 10*d.*; then, it was 38*s.* 2*d.* At the same time, the consumption had increased; during the three months ending the 5th of August, 1840, the consumption of British Plantation and Mauritius Sugar was 937,000 cwt.; in the same period this year, it was 992,000 cwt. Sir Robert Peel now came to the Corn-laws; and in order that there might be no mistake, he referred to the language which he had used before the dissolution:

"I said that, on consideration, I had formed an opinion, which intervening consideration has not induced me to alter, that the principle of a graduated scale was preferable to that of a fixed and irrevocable duty: but I said then, and I say now—and in doing so I repeat the language which I held in 1839—that I will not bind myself to the details of the existing law, but will reserve to myself the unfettered discretion of considering and amending that law. I hold the same language now: but if you ask me whether I bind myself to the maintenance of the existing law in its details, or if you say that that is the condition on which the agricultural interest give me their support, I say that on that condition I will not accept their support."

Would any man of common sense debar himself from amending the mode of taking the averages? He had been taunted for not declaring his plans; but had he explained in May what could not possibly be carried into effect before October, his opponents throughout the country would have been engaged in condemning his plan; and had he deviated from it in the smallest degree, they would have reproached him with the difference between his promise and his performance. As a proof that the Ministers felt that they ought not to have asked for his plan, he pointed to their having allowed him a year to consider what he would do with the Poor-law. "But," it was said, "Tell us what your pivot will be?" "Suppose I had done so, and proceeded afterwards to form a Government. I must, I presume, have informed her Majesty that the great principle of the Government was involved in an adherence to my pivot. I was to go to each colleague to ask him to assent to belong to the new Government; but I was to tell him, 'There is

one irrevocable principle to which you must subscribe—not merely an alteration of the Corn-laws—not a preference of the graduated scale over a fixed duty—but this precise and particular mode of taking the averages, and this particular pivot and price, are finally determined upon, and from that you cannot depart, because I have publicly pledged myself to it: I leave a blank for the name.' Can any reasonable man gravely say that was the course I ought to have pursued?"

And what was the question between him and the Government? Both started from the principle of protection; but the arguments against the sliding-duty, as a tax upon the income of the poor man, were equally applicable to the 8*s.* fixed duty. And what would be the satisfaction of an intermediate settlement of the Corn-law question? He doubted, to borrow Lord John Russell's phrase, the finality of such a settlement. If a bad harvest were to take place, would they rigorously exact the 8*s.* fixed duty in September or October. (An hon. Member said "Yes.") "You would! Then I publicly notify to the country, upon the authority of a great manufacturer and a stern free-trader, that be corn at the price of 80*s.*, or 90*s.* or 100*s.*, his rigid adherence to the principles and doctrines of free-trade will compel him to exact the duty of 8*s.*! No matter what may be the distress that prevails—no matter what may be the extent of privation—no matter what the amount of suffering, yet still the 8*s.* duty must be exacted—there is no power to remit it. [*Repeated cheers.*] In vain would it be to show that under the existing scale it would have been admitted at 1*s.*"

But notwithstanding all that parade of principle, in point of fact the duty could not be maintained under such circumstances. He had great doubts, too, whether the fixed duty would cause the expected fixity in price: in those countries where there was no Corn-law in operation, the price fluctuated. Take the State of New York as an example:

"In November, 1834, the price of the Winchester quarter of eight bushels was 33*s.* 4*d.*; in October 1836, it was 54*s.*; in January 1837, it was 63*s.*; in June 1839, it was 67*s.* 4*d.*; and in October 1839—mark, in the same year—it was 39*s.* 6*d.* Thus, in the State of New York alone, in the course of six months, the price of corn varied from 67*s.* 4*d.* to 39*s.* 6*d.* Whence arose that fluctuation? how was it to be accounted for, unless by the nature of the intervening harvest producing so immense a variation? In January, 1837, when corn was 63*s.* a quarter in New York, it was only 55*s.* 6*d.* in England, and in October, when it was 64*s.* in New York, it was only 45*s.* 9*d.* here."

If he thought that the Repeal of the Corn-laws could be an effectual remedy for the distress of the manufacturing districts, the recital of which had caused him much pain, he should recommend it as essential to the welfare of the agriculturists themselves; but he could not come to that conclusion. He took, he owned, but a gloomy view of the subject: he feared that legislation could not guard against the recurrence of such distress; that some of it was due to the sudden invention and application of machinery. In the

Report of the Poor-law Commission, in 1835, Dr. Kay described a most extraordinary increase of manufacturing power in Lancashire; within two years, mechanical power equal to 7,500 horses was brought into play, and 90,000 new hands, with an outlay of 3,700,000*l*. Hence an extraordinary accumulation of people on the spot: then human ingenuity discovered some machinery to curtail manual labour, and thousands were thrown out of employment. That process, coupled with the checks given to trade by wars in Syria and China, and disturbances in Europe, would account for much distress without the Corn-laws. He then alluded sarcastically to Mr. Wakley's sentimental loyalty, which would restrict the House of Commons from doing its duty, by submitting its opinion to the Throne, for fear of contravening the private wishes of the Sovereign. He recapitulated the opposition by which he was turned out of office in 1835, maintaining that his position was then quite different from that of the Government at present, since they had two years ago pronounced their own opinion that they had not sufficiently the confidence of the House for the satisfactory performance of their duties; whereas he had only remained long enough to ascertain the decision of the House. He firmly believed that the Ministers' retention of office had weighed with the people at the late election: it compromised the prerogative of the Sovereign so to retain power, because it exhibited the prerogative without its just influence; it also exhibited the House of Commons as wanting in its just influence, when it could thwart the measures and censure the acts, but could not decide the fate of a Ministry. The judgment of the people had been pronounced against that unconstitutional course. The result was to be expected—the resignation of the present Government. "It is not for me to speculate what may be the result of that; others have speculated upon it. I contemplate with calmness, without anxiety, nay with confidence, whatever may be the result. If power do not devolve upon me, I shall make no complaint. If power do devolve upon me, I shall accept it with the consciousness that I have gained it by direct and constitutional means, and that I owe it to the voice of the people of this country, and to the favour of the Sovereign. I am told that in the exercise of that power I must be the instrument of maintaining opinions and feelings which I myself am disposed to repudiate. With my views of government—with my views of the obligations which it imposes, the duties which it entails, the sacrifices it involves—I am little disposed to add to those sacrifices by accepting with it a degrading and dishonourable station. I am told that I must necessarily be the instrument of effecting objects in Ireland which I myself disapprove. I am asked whether I dare affront my associates and partisans. The hon. Member for Meath has alluded to the conduct of a public functionary in Ireland, who, he said, had offered an insult to the religious feelings of his fellow-countrymen by some public act of an offensive nature. I am not afraid of expressing my opinion with respect to acts like this; and I say at once that there is no man in this House—no Roman Catholic Member in this House—who heard with

deeper pain or deeper regret than I did, that a gratuitous, an unprovoked, and an unnecessary insult had been offered to the religious feeling of the people of Ireland. If I cannot gain power or retain it except by encouraging and favouring such feelings, I say at once, that the day on which I relinquish power, rather than defer to such feelings, will be ten times a prouder one than the day on which I obtained it. If I do accept office, it shall be by no intrigue, it shall be by no unworthy concession of constitutional principle; it shall be by no unnatural and factious combinations with men (honest I believe them to be) entertaining extreme opinions, but from whom I dissent. If I accept office, it shall be by walking in the open light and in the direct paths of the constitution. If I exercise power, it shall be upon my conception—perhaps imperfect, perhaps mistaken, but my sincere conception—of public duty. That power I will not hold unless I can hold it consistently with the maintenance of my own opinions; and that power I will relinquish the moment I am satisfied that I am not supported in the maintenance of them by the confidence of this House and the people of this country."

The conclusion of Sir Robert Peel's speech was marked by great cheering.

Lord John Russell did not complain of the motion which had been made, for he thought that the meeting of a new Parliament was the best opportunity for deciding the question involved in it; but some adequate reasons ought to have been shown in support of it. When, heretofore, Ministers were directly attacked, it was on some defect in their general policy: thus the American War was urged against Lord North; and a war with a formidable enemy, while the naval preparations of the country were in an inadequate state, was the ground for such a motion against Mr. Addington. But the policy of the present Ministers had been successful. When Earl Grey pledged himself to peace, of course it only meant that the Government would act in the spirit of peace; and that policy had been maintained with success. "In regard to the first question to which the honourable gentleman (Mr. Wortley) had alluded, the question of Belgium, that is a question which has been the motive for war and the source of disturbance to Europe from the days of Queen Elizabeth and William the Third to the time of the French Revolution, and down to the close of the last war. That question had been by means of negotiations amicably settled, partly by the Government of Earl Grey, but concluded by that of Viscount Melbourne. The other questions alluded to by the honourable gentleman were Portugal and Spain, countries which had also been the cause of involving Europe in trouble and in war. I am not here disposed to enter into any argument in regard to the policy pursued towards those two countries, but I say that in both instances it was a successful policy. We were in favour of placing Donna Maria on the throne of Portugal: she was placed on the throne of Portugal. We were in favour of the present Queen of Spain and of a free constitution, against the pretensions of Don Carlos and Absolutism: the Queen is now on the throne, and the Constitution exists in

Spain. We were of opinion that Mehemet Ali could no longer retain Syria: the chief Powers of Europe concurred with us in this respect, and the result of our policy was, that Mehemet Ali was deprived of Syria. In India attempts had been made to shake our power, and Dost Mahomed had been put forward as an instrument by which the safety of our possessions in that quarter were threatened: hostilities were undertaken, and Dost Mahomed is now at Calcutta, seeking refuge under the shelter of the British Government."

Of other transactions still in operation, the result, of course, could not be known. The Navy, the inefficiency of which had once been a charge against the Ministers, had disproved the charge on the coast of Syria. Lord John Russell then reviewed the conduct of Government in the Colonial department. In Canada, representative institutions accorded to the disaffected French, had created bickerings, and finally rebellion. That was successfully suppressed, rather by the energy of the Governor-general than by his cannon; the Whig Government had restored free institutions, and the Colony was well affected towards the Mother-country. At home, even in Ireland, there was loyalty, tranquillity, and obedience to the laws. It had not been shown that any great interest had suffered at the hands of the Government. He then recapitulated the events connected with the Appropriation Clause. It was twice defeated in the House of Lords. The Ministers might then either have gone on proposing the Clause and being defeated, or taken the course they did. Mr. O'Connell said, that the Clause had ceased to excite much interest in Ireland—so small a concession could only be valuable if carried soon after it was proposed in Parliament. Under these circumstances, the Ministers chose what seemed to them best for Ireland. That, however, did not remove the great difference between the Government and their opponents. Nothing had since occurred to show that Sir Robert Peel would be able to avoid placing the Government of Ireland in the hands of an exasperated minority. The language used by his supporters, in speaking of the majority of the Irish people and their clergy, showed the feeling which still prevailed: in that very debate an honourable Member had been unable to help calling the crowd assembled before a hustings by any other name than "savages."

Mr. Roebuck had assailed the Ministers for different reasons; he said, that if they had gone on with Reform they would have retained the support of the country.

"We have opinions with regard to the consequences of another course; and we had our opinion with regard to the Reform Bill, and the danger of constant and perpetual changes, which led us to resist the changes proposed to us. If I were to tell the honourable Member for Bath, should he profess violent Conservative opinions and give declaration against the Poor-law Bill and other declarations, like honourable gentlemen opposite, he would rise to a high station in the country, he would say, in reply, that such conduct was contrary to his opinion and that he could not consistently support such measures. We tell him the same thing; and when he tells us, 'Consider the course you took after the Reform

Bill; you lost the confidence of the Liberals, and did not gain the good opinion of the Conservatives,' I can say to him that we considered the consequences as well as he did: we knew we could not expect to conciliate the Conservative party to the policy of the present Government: but it was the opinion of the Government that we could not, with our views, consistently and honestly support the plans which were proposed; and if any honourable gentleman says that if we had taken such and such steps, and had adopted such plans, we could have remained in office, and if our principles were opposed to such changes, I say 'Welcome the consequences.'"

Lord John Russell ridiculed Sir Robert Peel's exclusive reserve and apprehension about his intentions as to the Corn-laws.

"Now I am at some loss to conceive why the right honourable gentleman, taking every other matter into consideration—leaving himself at large with respect to almost every other matter—should be so determinedly wedded to this. He will not say to his Sovereign that he will adhere to the pivot; but the address which he would make to his Sovereign or to this House would be this—'To be sure, I formerly stated, with regard to the Roman Catholics, that their admission to power would be the destruction of the Church and the ruin of the Constitution; but they have been admitted, and the constitution goes on perfectly well. As to Reform in Parliament, it was to be entirely destructive to the Monarchy and subversive of the interests of the Aristocracy: but it was passed, and still the constitution, somehow or other, flourishes under this plan, and none of those institutions which were so threatened have suffered in the smallest degree; and so I am satisfied with the measure of Reform, and I mean to make it the guide of my future conduct and the foundation of my future proceedings. The admission of the Roman Catholics into Parliament —the admission of Dissenters into offices—entire religious liberty—the change of the constitution of Parliament — the destruction of fifty or sixty boroughs, and the admission of numerous classes to the exercise of the franchise—are trifling matters, on which a change of opinion may take place; but the sliding-scale is a principle which I never can or will give up: it is so necessary, that come what may—be the change in the Corn-law what it may, the maintaining inviolate the principle of the sliding-scale is the great matter to which I shall devote my attention.'"

Lord John Russell, however, was convinced that the sliding-scale was the root of all the evil. Lord Ripon, in defending the Corn-laws, had shown that, in 1834-5-6, the duty was 47*s.*; neither more nor less than a prohibitory duty; in 1837, the duty was 1*s.* 7*d.*, and then 1,718,000 quarters of wheat were admitted, 1,740 times as much as in 1835-6. It was impossible that there could be any steadiness of trade under such circumstances. He then quoted returns, to show how the averages were tampered with by corn-jobbers with a sliding-scale. He admitted his belief, that the 8*s.* duty could not be maintained in a time of scarcity; but then, with a fixed duty, and the consequent regular trade, there very seldom would be an actual scarcity. The present system was so essen-

tially vicious in its nature that it ought to be abandoned, and we ought to go to a fixed duty of 8*s.* or any sum that Parliament might determine. He did not so much expect lower prices as additional employment for the people. He had no reason to suppose that Sir Robert Peel would refuse to put in practice those principles of free-trade of which he was the declared advocate. "I am sure, if he does, it will be from the want of inclination, not from the want of power; for, as for any imputation of his wanting any power to deal with the Corn-laws, as we proposed to deal with them, I think we may despise it. I know not what course he may pursue, but the full responsibility remains with him. The right honourable gentleman has no right to say, that he is shackled and thwarted by party-trammels, because it appears that the party to which he belongs could not resist liberal measures, if he were to propose them."

Lord John Russell, however, gathered that there were various divisions among the party to which Sir Robert Peel belonged; their organs of the press used the most contradictory language, and similar discrepancies were observed in the speeches at the elections. Mr. Stuart Wortley said, that one object of his party was to repeal the Poor-law; one of the many instances of a total difference of language between the leaders and followers. The Whigs, however, had the exclusive credit of harshness in this matter. Other misrepresentations had been used—they were said to be the enemies of the Church. He thus answered the charge:

"We have carried a Tithe-law, by which the property of the Church is made more secure; by which the clergyman obtains a larger income without quarrel or dispute with his parishioners. We have also passed another law regulating the incomes of the higher clergy. And what have we done?—reduced the Archbishop of Canterbury to the miserable pittance of 15,000*l.* a year; cut down the Bishop of London to no more than 10,000*l.* a year; the Bishop of Durham receives a wretched stipend of 8,000*l.* a year! These two Bills were our propositions; and, on the other hand, when a proposition was made that really attacked the Church, we incurred the enmity of the Dissenters for opposing it."

He hoped that the party next in power would not suffer by similar misrepresentations: and he finished his last Ministerial speech in these words:

"In conclusion, I am convinced that if this country is governed by enlarged and liberal councils, that its power and might will spread and increase, and its influence will become greater and greater, and liberal principles will prevail, and civilization will be spread to all parts of the globe, and you will bless millions by your acts and mankind by your union." (*Loud and continued cheering.*)

A division then took place, and the result was as follows:

For the Ministerial Address	269
Amendment . . .	360
Majority against the Government	91

When the House of Commons met for the purpose of receiving the Report on the Amended Address, Mr. Sharman Crawford proposed another amendment, of which he had given notice, pur-

porting that the distress deplored in the Speech was mainly attributable to the non-representation of the people in Parliament, and that the House would feel it their duty to consider the means of so extending and regulating the suffrage and the mode of its exercise, as to give to the working-classes their just weight in legislation. "He did not," he said, "desire universal suffrage, but a suffrage which would give a fair representation. From the want of this arose unjust wars, unjust legislation, unjust monopoly, of which the present Corn-laws were the most grievous instance. There was no danger in confiding the suffrage to the working-classes, who had a vital interest in the public prosperity, and had evinced the truest zeal for freedom." He brought forward this motion as a test of the liberal feelings of the House; it would show who were the friends of the people and who were not.

General Johnson seconded the motion.

Mr. Ward declined to support an amendment on so important a subject, brought forward at a moment when virtually there was no Ministry in existence, and without any sufficient notice or consultation. It was an insult to the people so to deal with their cause, and a vote under such circumstances would be no test of the strength of the Radical party. Sir Robert Peel was now the representative of the majority of the constituencies, and his measures ought to be heard before any steps of this nature should be taken. He should therefore retire before the division.

Mr. Roebuck expressed his intention to follow the same course. Sir Robert Peel ought to be tried; though it was to be feared he would be found wanting. This was not a question to be brought on by a side-wind at the end of a tedious debate.

Mr. Wallace, amid the cheers occasioned by the exit of these Members, assured the gentlemen opposite that what had just happened was not to be taken as a symptom of any division in the Radical party. They would be found an united body when the time for action should arrive.

Mr. T. Duncombe inveighed against those foes in the guise of friends, who had just declared their intention of leaving the Reformers in the lurch. He justified the motion of Mr. Crawford, and said Sir Robert Peel would soon find that there would be no repose till an extension of the franchise should be carried.

Dr. Bowring and Mr. W. Williams said they would support the motion. Mr. Protheroe and Mr. Turner thought its introduction unseasonable. Col. Rawdon said, that as a statement of grievances might constitutionally precede a vote of supply, so it might fitly precede a change of Administration.

The House then divided on Mr. S. Crawford's motion, which was negatived by 283 against 39.

At the next meeting of the House, Lord Marcus Hill appeared at the bar, and read the following answer to the Address—

"It is the greatest satisfaction to me to find that the House of Commons are deeply sensible of the importance of those considerations to which I directed their attention in reference to the commerce and revenue of the country, and the laws which regulate the

trade in corn; and that, in deciding on the course which it may be desirable to pursue, it will be their earnest desire to consult the welfare of all classes of my subjects.

"Ever anxious to listen to the advice of my Parliament, I will take immediate measures for the formation of a new Administration."

The division on Mr. S. Wortley's amendment had so unequivocally declared the sense of the new House of Commons upon the continuance of the Whig Government, that no other course now remained open to them but immediate retirement from office. Accordingly, on the 30th of August, Viscount Melbourne, in the House of Lords, rose and spoke as follows:—

"My Lords, I consider it my duty to acquaint your Lordships, that in consequence of the vote which was come to by the other House of Parliament on Saturday morning last, which was precisely similar in terms to a vote come to by your Lordships at an earlier period of the week, I have, on the part of my colleagues and myself, tendered to her Majesty the resignation of the offices we hold; which resignation her Majesty has been graciously pleased to accept, and we now continue to hold those offices only till our successors are appointed."

The House received this announcement in perfect silence, and adjourned almost immediately afterwards.

On the same evening, in the House of Commons, Lord John Russell made a similar statement in nearly the same terms, but afterwards proceeded shortly to vindicate the course which had been recently pursued by the Government of which he was a member. He said, that it was the conviction of that Government, that their duty to the Sovereign whose confidence they enjoyed—their persuasion of the necessity of the measures which they advised—and their belief that the people should be consulted on questions involving their dearest interests—rendered it incumbent on them to continue the struggle to the present moment. He would not say, that as long as they could use power, as they believed, for the benefit of the country, it was with reluctance they continued in office; but this he would say, that he did not think the possession of power in this country could be accompanied by satisfaction unless there were means of carrying into effect the measures which Ministers felt essential to the welfare of the country. He did not allude then to particular measures of less or minor importance, but to measures of great and transcendent moment. "With regard to such measures," said the noble Lord, "we began, in the commencement of Lord Grey's Administration, with the Reform Act—we ended by proposing measures for the freedom of commerce. With large and important measures we commenced—with large and important measures we conclude. In pursuance of great objects we triumphed—in pursuance of great objects we have fallen." Lord J. Russell afterwards made a not ungraceful allusion to his own zeal and assiduity in the public service; and, with regard to his future conduct, stated that he should be always ready to give such an opinion as he thought might tend to the permanent improvement of our institutions; never, as he had observed on another occasion, defending abuses as if they were

institutions, and, on the other hand, never being ready to sacrifice institutions as if they were abuses. He wished also personally to express a hope, with regard to the political opponents of himself and his party, that there might be no feeling of personal bitterness between them; and if the resignation of himself and his colleagues tended to the future welfare and prosperity of the country, he should always look with satisfaction to the day on which that event occurred.

Lord Stanley immediately rose, and complimented Lord John Russell on the great zeal, perseverance, ability, and talent with which, not only in the duties of his own department, but in the management of the political business of the House, that noble Lord had uniformly conducted the very arduous and difficult task which was assigned to him. Lord Stanley then went on to say, that the division on the Address was not to be taken as an index of opinion as to the principles which the noble Lord (Lord John Russell) said were then under discussion. What the House of Commons said was, that under the circumstances in which the country was placed, the matters to which the Crown had invited its attention, were considerations of too great importance to be deliberated upon incidentally in the House of Commons, which, after all, could come to no division upon them, from the form in which they were put, and in the absence of any Government possessing the confidence of the House and the country. He could not help expressing his regret, that the Speech was so framed as to be liable to a misconstruction in the eyes of the community, and might lead, in the public mind, to an impression perfectly erroneous and perfectly unconstitutional of course, that those recommendations were the recommendations of the Crown, and not of the Ministers, who constitutionally advise the Crown. He gave the late Government the credit of believing that, ceasing to hold office, they would not attempt to disturb those who might be called upon to undertake the business of the country by a factious opposition.

Lord John Russell: "I am extremely sorry, that any misconstruction has prevailed in any quarter. I thought it was generally understood, that the Speech from the throne was the Speech of Ministers. I am quite ready to say, that I hope no such misconstruction will continue to exist. The Speech was the result of the advice of Ministers, and Ministers alone are responsible for it."

On the 8th of September, new writs were moved for in the House of Commons for various places, in consequence of the acceptance of office by their representatives in the new Government formed by Sir Robert Peel. The House afterwards adjourned until the 16th of September.

The following is a list of the Ministry, as formed by the new Premier:—

THE CABINET.

Duke of Wellington.	
First Lord of the Treasury	Sir R. Peel.
Lord Chancellor	Lord Lyndhurst.
Chancellor of the Exchequer ...	Right Hon. H. Goulburn.
President of the Council	Lord Wharncliffe.
Privy Seal	Duke of Buckingham.
Home Secretary	Sir James Graham.
Foreign Secretary	Earl of Aberdeen.
Colonial Secretary	Lord Stanley.
First Lord of the Admiralty ...	Earl of Haddington.
President of the Board of Control ...	Lord Ellenborough.
President of the Board of Trade ...	Earl of Ripon.
Secretary at War	Sir H. Hardinge.
Treasurer of the Navy and Paymaster of the Forces	Sir E. Knatchbull.
Postmaster-General	Lord Lowther.
Chancellor of the Duchy of Lancaster	Lord G. Somerset.
Woods and Forests	Earl of Lincoln.
Master General of the Ordnance ...	Sir G. Murray.
Vice-President of the Board of Trade and Master of the Mint ...	W. E. Gladstone.
Secretary of the Admiralty ...	Hon. Sidney Herbert.
Joint Secretaries of the Treasury ...	Sir G. Clerk. Sir T. Fremantle.
Secretaries of the Board of Control .	Hon. W. Baring. J. Emerson Tennent.
Home Under-Secretary	Hon. C. M. Sutton.
Foreign Under-Secretary	Lord Canning.
Colonial Under-Secretary	G. W. Hope.
Lords of the Treasury	Alexander Pringle. H. Baring. J. Young. J. Milnes Gaskell.
Lords of the Admiralty	Sir G. Cockburn. Admiral Sir W. Gage. Sir G. Seymour. Hon. Captain Gordon. Hon. H. L. Corry.
Storekeeper of the Ordnance ...	J. R. Bonham.
Clerk of the Ordnance	Captain Boldero.
Surveyor-General of the Ordnance...	Colonel Jonathan Peel.

Attorney-General	Sir F. Pollock.
Solicitor-General	Sir W. Follett.
Judge-Advocate	Dr. Nicholl.
Governor-General of Canada ...	Sir C. Bagot.
Lord-Advocate of Scotland ...	Sir W. Rae.

Ireland.

Lord Lieutenant	Earl De Grey.
Lord Chancellor	Sir E. Sugden.
Chief Secretary	Lord Eliot.
Attorney-General	Mr. Blackburne, Q.C.
Solicitor-General	Serjeant Jackson.

Queen's Household.

Lord Chamberlain	Earl Delawarr.
Lord Steward	Earl of Liverpool.
Master of the Horse	Earl of Jersey.
Master of the Buckhounds ...	Earl of Rosslyn.
Captain of the Yeomen of the Guard	Marquess of Lothian.
Captain of the Gentlemen Pensioners	Lord Forester.
Vice-Chamberlain	Lord Ernest Bruce.
Treasurer of the Household ...	Earl Jermyn.
Controller of the Household ...	Hon. D. Damer.
Lords in Waiting	Lord Aboyne. Lord Rivers. Lord Hardwicke. Lord Byron. Earl of Warwick. Viscount Sydney. Earl of Morton. Marquess of Ormonde.
Groom in Waiting	Captain Meynell.
Mistress of the Robes	Duchess of Buccleuch.
Ladies of the Bedchamber	Marchioness Camden. Lady Lyttelton. Lady Portman. Lady Barham. Countess of Charlemont.

Prince Albert's Household.

Groom of the Stole	Marquess of Exeter.
Sergeant-at-Arms	Colonel Perceval.
Clerk Marshal	Lord C. Wellesley.

CHAPTER IX.

Re-election of Members of the Government—The House of Commons meets again on the 16*th September—Statement of Sir Robert Peel as to his intended course of proceeding—He announces the postponement of his financial measures till the next Session—Speech of Lord John Russell—He objects to the delay—He states at length his view of the state of public affairs—He is answered by Sir Robert Peel.—Speech of Viscount Palmerston—He deprecates the postponement of remedial measures. Speeches of Mr. Villiers, Mr. Ward, Mr. Cobden, Viscount Sandon, Mr. Hawes, Mr. Litton, and other Members—Mr. Fielden moves that no Supplies be granted until after an enquiry into the distress of the country—His motion is negatived by a large majority. Mr. Greene is appointed Chairman of Ways and Means. Renewed discussions on the state of the country. Speech of Mr. Otway Cave—Sir Robert Peel states that he shall not re-introduce Lord Stanley's Irish Registration Bill.—Statements of Manufacturing distress made by several Members—Sir Robert Peel's answer—He declines to afford the explanations of his future measures demanded by the Opposition. The Chancellor of the Exchequer makes his Financial statement—Observations thereon of Mr. F. Baring. Speeches of Mr. Hawes, Mr. Ewart, Sir Robert Peel, Lord Palmerston, Mr. C. Wood, and other Members. The resolutions moved by the Chancellor of the Exchequer are carried. Debates in the House of Lords—Lord Melbourne impugns the Ministerial plan of Finance—Speeches of Lord Ripon and the Duke of Wellington—Lord Radnor's Remarks on the Duke's speech—Explanations—Speeches of Lord Kinnaird and the Duke of Richmond. Progress of business in the House of Commons—Bill for creating additional Judges in Equity passed—Poor-laws—Sir R. Peel brings in a bill to continue the Commission for six months—Mr. Yorke moves an instruction to the Committee—Speeches of Sir J. Graham, Mr. Stuart Wortley, Mr. V. Smith, Sir Robert Peel, Mr. Pakington and olhers—Mr. Yorke's motion is rejected by a large majority—Mr. S. Crawford moves two amendments, which are negatived after some discussion—Mr. B. Ferrand makes charges against the manufacturers—They are defended by Mr. Mark Phillips—Speech of Sir J. Graham—Motion of Mr. Fielden to reject the bill negatived by* 183 *to* 18. *Prorogation of Parliament—Speech of the Lords Commissioners—End of the second Session of* 1841.

THE re-elections of the Members of the Government by their respective constituencies having taken place without the loss of a single seat, the House of Commons re-assembled on the 16th of September, and those who had so long sat on the benches of Opposition assumed their new places on the Ministerial side. The business was commenced by Sir Robert Peel moving *pro formâ*, for a copy of the letter of the First Commissioner of Woods and Forests to the Chancellor of the Exchequer, on the subject of warming and ventilating the new Houses of Parliament, and which he made the occasion of stating his intentions as to the course to be pursued with respect to the public business of the country. He intended to adopt, without alteration, the Miscellaneous Estimates framed by the late Government, which would be submitted to the House on the following evening: "but as the first part of those Estimates had been taken in a mass, instead of item by item, according to the usual course, he intended to reverse the mode with the second part, and to take them item by item instead of in the aggregate. He should have one addition to propose with respect to flues and other works necessary to the warming of the new Houses of Parliament. It would be necessary to make provision for the continuance of some expiring laws, and he should propose to continue the existing Poor-law, with its present establishment, to the 31st of the following July: whether by an ordinary Continuance-act, or by some special Act, he would leave it to the House to decide. With respect to the trials of election petitions, it appeared to him to be for the general convenience not to adopt any proceedings at present for their determination: the general Committee of Elections were empowered to fix the days on which the several petitions should be taken, and no act of the House was necessary to suspend the trial of them. He then adverted to the question of finance, and the general policy of the new Government:

"With respect to the financial arrangements of the year, my right honourable friend the Chancellor of the Exchequer will, on the earliest day upon which a Committee of Ways and Means can be appointed, state to the House what is the extent of the deficiency to be provided for, upon comparing the expenditure with the revenue for the present year. I apprehend that it will be found not to fall short of the estimate given by the Chancellor of the Exchequer, and that the sum of nearly 2,500,000*l.* will have to be provided for the service of the current year. Into the details of this question my right honourable Friend will then enter, and avail himself of that opportunity to state what are the measures by which he proposes to constitute a temporary power of meeting that deficiency. With respect to measures of a more permanent character, having for their object to equalize the revenue and expenditure of the country, it is not our intention during the present session of Parliament to submit any measures for the consideration of the House. I have already expressed my opinion that it is absolutely necessary to provide effectually for the equalization of the revenue and expenditure, and we shall avail ourselves of the earliest opportunity, after a mature consideration

of the circumstances and condition of the country, to submit to Parliament measures for the purpose of remedying the existing evils. Whether that is to be done by diminishing the expenditure of the country, or by increasing the revenue, or by a combination of these two means, I must postpone for further consideration. It is enough for me to state at present, that it is impossible for the country, consistently with the public interests, to proceed in that financial course which has been pursued for several years past; but in proceeding to consider the mode in which so great an evil is to be remedied, I must ask for the confidence of the House to her Majesty's Government, while they give to that subject their most serious consideration. (*Loud cheers from the Ministerial benches.*) With regard to other measures of a permanent nature, I must make the same appeal to your confidence. It is perfectly true that for some days past I and my colleagues have been in possession of the powers of Government; but the arrangements which I have had to make for completing the Administration have not placed me in a position to proceed any further in the consideration of measures of such great and permanent importance to the well-being of the country. It is unquestionably out of no disrespect to the authority of Parliament that I decline to submit to it my views upon these subjects; it is not on account of the advanced period of the year, not on account of the probably deficient attendance of Members, not on account of the temptation to indulge in other avocations. My opinion is, that all such considerations ought to be sacrificed to the paramount consideration of duty, and should not be permitted to interfere in the slightest degree with the business of the nation. The ground upon which I forbear from calling the attention of Parliament to measures of that important character rests on the peculiar circumstances connected with the formation of her Majesty's present Government. I believe it to have been a just and true expression of opinion, before the late elections, that there was a great desire upon the part of those who will probably be the warmest opponents of her Majesty's Government to give them a fair trial; and I now declare that, on the earliest possible occasion, the public will find that the opinions of her Majesty's Government upon these most important subjects shall be fully stated to Parliament. In the mean time, I trust that I do not misunderstand the general feeling of the House, that on the whole it is right, upon the formation of a new Government, that time should be given to them to consider those measures which they may think expedient to be introduced, in connexion with the financial difficulties of the country." (*Loud cries of hear.*)

Lord John Russell said, that with regard to the immediate object of Sir Robert Peel's motion, it was not likely that he should have any objection to offer, and that he should certainly raise none against incurring any reasonable expense in carrying arrangements into effect for warming and ventilating the new Houses of Parliament. Upon the latter part of the right honourable Baronet's statement, however, he could not give the same assent to his proposals. He said, "With regard to the Mis-

cellaneous Estimates, considering myself and those lately in office parties to those Estimates, I shall feel it my duty to attend and give my support to those votes. But, with regard to the further statement of the right honourable Gentleman, I shall certainly deem it my duty to take the opportunity to-morrow, before the House shall go into Committee of Supply, to state the view which I take of the present state of public affairs. (*Loud cheers from the Opposition benches.*) I do not think it would be consistent now to enter into this consideration; and the course which I propose to take, of making my statement before the House goes into Committee of Supply, appears to me to be both the ordinary course, and consistent with due preparation. I heard with great concern from the right honourable Gentleman the statement of his intention not to propose any measures during the present session. I do not say, that, during the last few days, while he was occupied with the care of forming an Administration, he can have given any new attention to the great measures to which he has adverted. But, considering the length of time which has elapsed since the disputed measures were proposed by the late Government, and the present state of the country, I must say, that I shall be obliged to give it as my opinion, that in the course of the present autumn the Government now constituted ought to propose their measures. I infer from the right honourable Baronet's statement that his intention is, having obtained the necessary supplies, and a renewal of the Poor-law Act, that the House of Commons should not meet again until the ordinary time in February next. To-morrow I will state why I think this course is not advisable in the present state of the country. The right honourable Gentleman has truly said, that the House of Commons ought not to attend to matters of personal convenience in preference to the business of the country. In that opinion I perfectly concur, and believe that there are considerations of public exigence which ought to direct their immediate attention to measures which seem to me to be of the vastest importance. (*Cheers from the Opposition benches.*) I do not at all wish to embarrass the right honourable Baronet's course, but merely to intimate my views as to the existing state of the country, and the course which ought to be pursued."

Accordingly on the following evening, Sir Robert Peel having moved the order of the day for going into a Committee of Supply, Lord John Russell proceeded to state his views upon the position of public affairs. He began by expressing his satisfaction at the failure of the late attempt upon the lives of the royal family in France. He then expressed his disapprobation of the doctrine set up by the United States, relative to the affair of the Caroline, that their particular courts could not be withheld by their general Government from dealing with the subjects of other nations; because such a doctrine, pushed to its extreme, would put it in the power of a mere inferior tribunal of criminal law to involve two nations in war. He adverted in terms of commendation to Sir Robert Peel's appointments in Ireland; after which he addressed himself to the main questions on which he dif-

fered with the Government. The Queen had referred to the House the great question of the trade of Corn; the House accepted that reference with a condition that the Ministers should be changed. "The advice of the House of Commons was acceded to by the Queen, and a Ministry was formed full of attachment to our institutions in Church and State, and to — the sliding-scale. (*A laugh.*) A new set of men are now placed in the Cabinet of the Queen. I am not one of those who think that we should look exclusively to measures, and not to men. I think we should look to both; but let us for a moment recur to the sentiments expressed by the right honourable baronet in April last. He then thought the delay of a month too much, he now proposes that there should be a delay of five months. It was said most fairly, that the right honourable Baronet had recently been occupied with forming a new Administration, and could not be expected at once to bring forward his measures; but I hope the House will not forget the length of time which he had for previous deliberation. At the end of April last the Budget of the late Government was proposed to the House. I then gave notice for a Committee of the whole House to consider the laws affecting the importation of Corn, and I further gave notice, that within a month from that time I should bring the subject before the House. Protests were uttered against this, and I was told that the delay of a month would be intolerable; yet four months have elapsed since the Budget was brought forward, and the right honourable Baronet proposes to add five months to the four, though when the late Government was in power four weeks were thought too great a delay. Does the right honourable Baronet say that he will take his stand upon the present Corn-laws? The inference drawn from the composition of his Government is, that he will not make any alteration in them. A threat had been held out that no alteration in the Corn-laws would be made, and I must be allowed to say, that the appointment of the Duke of Buckingham to a seat in the Cabinet seems to indicate that the threat will be acted on; for I am told that no one is more opposed than the Duke of Buckingham to any such alteration. The right honourable Baronet and some others have not, perhaps, given any very decided pledge on the subject; because, as regards a sliding-scale, it may be such as to amount almost to a prohibition; it may be such as to give a much less protection than the fixed duty which I proposed; therefore am I justified in saying, that the right honourable Baronet and some others leave their opinions unknown, and have not given any indication of the nature of the measure they would propose. I, at the same time, could not but observe, that while the noble Duke, to whom I have alluded, has been made a Member of the Cabinet, there are others connected with his party, and who have, on occasions, been intrusted with high office, who entertain very different opinions from the noble Duke on this subject. Sir G. Murray, who was for a considerable time Secretary of State in the Administration of the Duke of Wellington, has expressed himself favourable to a fixed duty of 8*s.*, or, I believe, of less. But Sir G. Murray is not a Member of the present Cabinet.

There have been selections, therefore, from amongst those who have given decided opinions, and who belong to the party of the right honourable Baronet, of such as are in favour of prohibition and exclusion ("*Hear, hear*"); while there has been a neglect and exclusion of those who have pronounced an opinion in favour of a freer trade in corn than exists at present. This being the case, I ask is it possible that the country can patiently wait for five months with any well-grounded expectation that some large and improved measure respecting the trade in Corn is to be adopted? I certainly do not think that such an expectation can be produced by the course of the right honourable Baronet; and if no intention of bringing forward such a measure is entertained, then I say that the arguments which you apply to me for the delay of one month tell with ten-fold force against yourselves ("*Hear, hear*"); for I say it is much better you should state—for the sake of trade, that trade may not be impaired by false expectations, and for the sake of agriculture, that it may not be depressed by unjust fears—that you mean to adhere in substance to the present law, and not to make any alteration in it. Of course, you may attempt some correction of the frauds arising from the averages on the one hand, or you may, on the other, lower the pivot some 4*s.* or 5*s.*, which would make the law less stringent; but you would still be leaving the law very much as it is. If what I have now suggested be your intention, why should it not be embodied in a measure, and that measure be proposed to Parliament in the month of October; why should not the anxiety and expectation of the country be set at rest, and not have this long delay interposed? The Corn trade is, no doubt, a most important branch of our commerce; but I do not see why, if there is to be no alteration proposed but in the pivot, if nothing but a different number of shillings is to be taken, so that the scale may be made somewhat more gradual than it is at present—I do not see why this great delay should be suffered to elapse, or why the Cabinet cannot now make up their minds upon the subject."

Lord John Russell vindicated the landowners from the indiscriminate imputations of selfishness which had been made against them. It must be admitted, he said, that in all cases of this kind personal interest gives a bias to the view taken of the particular question in dispute. This had been the case with respect to parties engaged in the silk trade, with respect to shipowners, and many other bodies, who, though assenting to the general principles of free-trade, considered that in their own particular case some protection was required to maintain the interests of that portion of trade in which they were engaged. Alluding then to the existing state of the manufacturing districts, he admitted that it was true no human laws could prevent occasional distress, but Parliament should at least stand clear of all share in occasioning it. The present law was not justified by any cogent reason. Such restrictions could only be vindicated on the ground of their being either conducive to revenue, or necessary for the protection of a particular class, who were unequally taxed, or in order to make a transition more gradual, and to prevent any embarrassment which might be oc-

casioned by the sudden withdrawing of protection from any interest which had long enjoyed it. But the present Corn-laws, as he contended, could not rest upon any one of these three grounds of recommendation. Are they necessary for the sake of revenue? It is quite clear, on the contrary, that your present law defeats all the purposes of revenue, and that if the measure which I had the honour to announce, and which was never discussed, of a fixed duty of 8*s*., had been adopted, the Exchequer would be now some 400,000*l*. or 500,000*l*. the richer, on the admission of 1,000,000 or 1,200,000 quarters of wheat, which may now be admitted at 1*s*. Are they necessary for equalizing the taxation of two classes, by affording protection to the agriculturists? I think not. I think that a fixed duty is far preferable in that respect, and that you have no case to make out for prohibition on that ground. I never, at least, heard such a case attempted. Lastly, you cannot say the present Corn-laws are necessary to make a transition, because it has been adopted as a permanent system. If such be the character of your Corn-laws, then I say, that those who are distressed have a right to come to you and ask you to consider their case, and ask you to change any law which impedes trade and embarrasses industry, and, as far as legislation can do it, to place them in a better position. You may not be able to say, and, above all, you should not promise, that by any sudden change in the law you would place the people in a state of entire prosperity, and guard them against all future fluctuations and distress; by this you would be able to say—"Whatever may be those distresses, we feel the deepest sympathy and compassion for them, but having done away with all those restrictions which could aggravate them, we are not responsible for their existence, and we have no share either in producing or continuing them." That is what I feel you cannot justly say at present, and that if such distress does exist, no personal inconvenience, no inconvenience which may arise from being obliged to come to a decision upon the question in the course of another six weeks, ought to prevent you from taking into consideration during the present autumn the laws which regulate the trade in corn." He then referred to the petitions to the Queen not to prorogue Parliament until the question had been discussed; which evinced the public anxiety on the subject. He could not help apprehending that, if something were not promptly done to relieve and stimulate trade, some of our manufactures, and especially the cotton-trade, would be outdone by foreign competition; the capitalists of a distressed district would withdraw their capital from the country, a large population would be thrown out of employment, and become a burden upon the poor-rates. If there was any ground for these apprehensions, they ought to be considered by Parliament, and that without delay. He considered this view of the question even more important than that of finance. In a financial point of view, however, he deeply regretted the course which it was proposed to adopt of taking a vote of credit for the purpose of the present year, instead of resorting to some measures by which they might hope to obtain an increase of revenue, and to stimulate the productive powers of

the country. I feel thoroughly persuaded that if, instead of pursuing this course, you had adopted those measures which the late Government announced to the House of Commons on the 13th of April last, you would have produced a revival of trade. And, in augmenting the revenue by such means, you would have secured a still greater object—an increase of the comforts and happiness of the people. Nay, more, I believe that by declaring to the whole world that you were about to interchange your products for theirs, upon the freest and most liberal principles, you would have contributed to the future peace of the world, convinced as I am that there is no security equal to the feeling that nations are deriving benefits from each other, that their intercourse, while it continued, shed additional advantages on each every year it was so continued, and that if interrupted it would cause greater calamities than an ordinary war between hostile nations. Thinking, therefore, that the measures which we proposed would have tended to relieve the revenue and to improve trade, and that they would have contributed not only to the welfare of this country but to the peace of the world, I cannot help saying that I deeply regret their rejection. Still do I feel, even now that they are rejected, that the right honourable Baronet and the Government ought not at once to decide that they will not enter into the consideration of those questions. If they have made up their minds to that course, I do not doubt that they will be supported in it by that majority whose confidence has already been expressed in their favour. But this I do expect, that when the whole course of this year is reviewed, it will be found on reflection by the people of this country, that great advantages would have been derived from the fair consideration, instead of the abrupt rejection, of the measures we proposed, and that in adjourning their consideration to next year you will have adjourned the benefits which would flow from them, and amongst those benefits the alleviation of that distress which exists in the country. ("*Hear, hear.*") It is not my intention, either upon this occasion or any other, as I can at present see, to propose any measure to the House, or ask for any division of the House against the course which the right honourable Baronet proposes to adopt; but, as a Member of the House, I beg it to be understood that I do not hold myself in any way responsible for the consequences which may ensue from it." (*Loud cheers.*)

Sir Robert Peel said, he had wished to avoid commencing the harassing and arduous task which lay before him by any controversy of a party nature; but Lord John Russell was certainly free to take his own course, and he did not seek to avoid the discussion, but was rather glad of the opportunity for commenting on his observations. He concurred in the noble Lord's views of our foreign relations, and in his anxious wishes for the preservation of Louis Philippe. As long as the illustrious family on the throne of France continued to reign, there was a sufficient guarantee for peace. He did not think that the change of Government here would interrupt amicable relations, because it was his own Government that advised the recognition of Louis Philippe as the choice of the French people. And

he relied on the character of M. Guizot for the maintenance of that amity between France and England, which was necessary for the advancement of social improvement and civilization. He viewed the state of our relations with the United States with apprehension and anxiety; but it was so manifestly the interest of both countries to maintain peace, that he could not but hope that the good sense of both communities would prevail. He regretted that Lord John Russell had not by a definite motion taken the sense of the House as to the justice of the confidence which he, Sir Robert Peel, asked in the course he proposed to pursue. "I should have thought it so reasonable that after a lapse of ten years, for which I, with the exception of some three or four months, have held the situation of a private individual—I should have thought, that on returning to power after the lapse of ten years, there would have been an universal impression that it was but reasonable that I should not be called upon, within a month, to propose an alteration of the law in respect to the trade in corn. I should have thought that it would have been felt that there might be advantage in the access to official information—that it might be desirable to avail oneself of the information that exists, to ascertain the opinions of those who receive large emoluments from the public for the purpose of collecting information, and that it was but reasonable to permit me to have an interval, in conjunction with my colleagues, for the purpose of deliberately considering the proposition we should make. But, if I am responsible for not proposing a measure on the Corn-laws within one month of my accession to office, what must be thought of that Government—that has held office for five years, and which never until the month of May, 1841, intimated, on the part of that Government, an united opinion? (*Great cheering.*) What! if you are so convinced of the intolerable evils inflicted upon this country by the operation of the Corn-laws—if you think that commercial distress is to be attributed justly to them—if you think they are at the root of the privation and suffering to which the labouring classes in some districts of the country are exposed,—what has been your neglect of duty in permitting five years to elapse without bringing forward on the part of an united Government a proposition for the remedy of these abuses? Why have you allowed this question to be an open question in the Administration? You may say, that you had no hope of carrying it. I tell you, then, that that course I will not pursue. I form my opinion on the subject of the alteration that may be made, and no considerations of convenience, no leaving it an open question to be proposed here and defeated there, shall prevent my bringing it forward; and, having stated to the House of Commons the course I mean to pursue on the part of a concurring and united Government, of staking the existence of the Government on the issue. But this question, respecting which now you feel so deeply convinced,—have you remained in office permitting Lord Melbourne to hold opposite opinions?" (*Great cheering.*)

The greatest mischiefs which they could do to great principles was to leave them in abeyance. He took the Queen's Speech not

as a vague recommendation to consider the subject, but as virtually a recommendation of the definite proposal of an 8*s.* duty: did its proposers adhere to it now? If not, they had to thank him for having stopped it. Had the adverse prospects of the harvest been realised, and the duty been fixed at 8*s.* in all probability Parliament would now have been assembled, under the auspices of the Whigs, to abate that 8*s.* duty. Was it fair and reasonable, that in the face of a deficiency of seven millions and a half accumulated by the Whigs, which he found on entering office, he should be asked at once to produce his financial scheme? If he adopted the Whig Budget, would it repair the deficiency? Lord Sydenham had told them that it was not safe to make the proposed alteration in the Timber-duties, so that the 600,000*l.* which they reckoned upon from that source was gone; the price of British Sugar was so much reduced, that there was no prospect of realizing 700,000*l.* from the reduced duty on foreign sugar: and to the 400,000*l.*, on which Mr. Baring had reckoned from the new corn duty, an additional sum of 1,100,000*l.* must have been raised in order to justify his calculations.

Lord John Russell,—"No, no."

Sir Robert Peel,—"I beg the noble Lord's pardon. I am speaking from the recollection of former debates, but I believe my statement will be found to be correct. The late Chancellor of the Exchequer said, 'I estimate the produce of the Customs in 1841 to be equivalent to the produce of the Customs in 1840.' Now, a portion of the Customs Duties in 1840 was 1,100,000*l.* received from corn, and consequently that 1,100,000*l.* must be added to the 400,000*l.* for which the right honourable gentleman took credit in his Budget; because, if there was any deficiency in the 1,100,000*l.* received from corn in 1840, there would probably be a corresponding reduction in the Customs Duties of 1841. Therefore, unless you could raise 1,500,000*l.* from corn in 1841, the deficit, which I think I have already clearly shown amounted to 1,900,000*l.* must have been still more largely increased; and, however cordial the co-operation which the noble Lord may receive from those who sit behind him, yet, when I listen to what they state with respect to the "bread-tax," and the injustice of subjecting to heavy duties that which forms the staff of the people's subsistence, they will not hear, I am sure, with very cordial satisfaction, that part of the Budget was to levy 1,500,000*l.* on the food of the people." ("*Hear, hear.*")

Sir Robert Peel then proceeded to show, that the expenditure also had been estimated below the proper amount. In China alone the real expenses of the year would probably be 4,000,000*l.* instead of the 625,000*l.* in the estimate—and there was an alarming tendency to increased expenditure in the colonies. 900,000*l.* was estimated on an expenditure for Hong Kong this year, including the construction of a main road. Sir George Gipps had issued bounty-warrants for emigrants to New South Wales to the amount of 979,000*l.*—reduced by Lord John Russell to 500,000*l.*—155,000*l.* had been voted to meet South Australian bills: while bills for 4,000*l.* more had been presented at the Treasury and protested: and a loan of 1,000,000*l.* had been guaranteed

to Canada, and 100,000*l.* had been promised for fortifications. Before the Government were called upon to produce their financial scheme, they ought to have time to revise the state of our commercial relations with the United States, Naples, Texas, Brazil, and France; with all of which countries commercial treaties were pending. Lord John Russell had given him credit for the constitution of the Irish Government: had he not been, however, told, night after night, that he dared not form a Government for Ireland? that he would be the reluctant and degraded instrument of men ready to offer coarse insults to their Roman Catholic fellow-countrymen? Not a month had elapsed before those predictions had been reversed. He then declared the principle on which he would govern Ireland. "I intend to administer the law with firmness, and I hope with dignity. I will not permit the administration of Irish affairs to be influenced by the hope of conciliating support in the House of Commons; but I declare that the engagement into which I have entered to administer impartial justice in that country, shall, as far as depends upon me, be strictly fulfilled."

In conclusion, Sir Robert Peel adverted to the peculiar circumstances under which he had taken office. "What personal motive," he asked, "could I have had, to induce me to undertake the burdens and responsibility of office? Is it likely that I would go through the labour which is daily imposed upon me, if I could not claim for myself the liberty of proposing to Parliament those measures which I believe to be conducive to the public weal? I will claim that liberty—I will propose those measures; and I do assure this House, that no consideration of mere political support should induce me to hold such an office as that which I fill by a servile tenure which would compel me to be the instrument of carrying other men's opinions into effect. I do not estimate highly the distinctions which office confers. To any man who is fit to hold it, its only value must be, not the patronage which the possessor is enabled to confer, but the opportunity which is offered to him of doing good to his country. And the moment I shall be convinced that that power is denied me, to be exercised in accordance with my own views of duty, I tell every one who hears me, that he confers on me no personal obligation in having placed me in this office. Free as the winds, I shall reserve to myself the power of retiring from the discharge of its onerous and harassing functions, the moment I feel that I cannot discharge them with satisfaction to the public and to my own conscience. (*Great cheering.*)

Viscount Palmerston admonished Sir Robert Peel not to plume himself too confidently on his majority, for there was a country as well as a House of Commons. Sir Robert Peel had indeed been ten years out of office, but he had been engaged during all that time in public business, and was, from his habits and attainments, peculiarly fitted to form a judgment on public affairs. It was probable, the composition of the Cabinet being considered, that the right honourable Baronet, if he waited for a Government united on the Corn-question, would wait, not for five months only, but for ever. He had argued, that the late Government could not, had they remained in office, have stood by their own

Budget. Undoubtedly they would have stood by it. A bad harvest here would not have prevented the continuance of the 8*s*. duty; for under such a duty, the steady supply from abroad would have prevented exorbitant prices. He was not disposed, when he looked at the new Government, to underrate the trouble its construction must have cost Sir Robert Peel. He would therefore have been content not to press the right honourable Baronet for a decision to-day or to-morrow; but he did think that Parliament ought not to be dismissed for several months, without some previous explanations. He denied, that the recommendation of postponing the Timber-duty was applicable to the late Budget; and as to Sugar, the calculation of the late Government had met both events; if foreign sugar were attracted by high prices, it yielded a large revenue; if an abundance of British colonial supply kept prices low, that abundance equally recruited the Exchequer. He contended, that the colonial expenses contemplated by Sir Robert Peel would not prove to be of the magnitude apprehended by him; and if the right honourable Baronet meant to postpone his financial statement until all the colonial governors should be perfectly within bounds, the House would have to wait a long while for his Budget. The Ministry having turned out their predecessors upon the questions of finance and commercial restrictions, it was reasonable that the intended measures should be speedily announced. The argument for delay derived from foreign treaties of commerce, was, in truth, an argument for immediate proceeding; the change proposed was for the benefit of our own people irrespectively of foreigners, and if it were once made, any subsequent negociations would be attempted with so much greater advantage. On the whole, he did not think the country would regard as satisfactory the reasons assigned for postponement. He gave credit to Sir Robert Peel for his own personal feelings and opinions, but when he saw the motley character of the Ministry, he could no longer consider the character of the Premier as a sufficient guarantee. And if the real reason of the delay was, that the Ministers wanted time to come to an agreement among themselves, at least they might arrive at it somewhat sooner than February next.

Mr. Villiers complained, that four years had elapsed since the people had begun to pray most earnestly for the revision of the Corn-laws. A committee had taken evidence, but that evidence had been disregarded. When at length a Cabinet had proposed to deal with the question, every obstruction had been opposed by Sir Robert Peel. And now the subject was postponed again, merely because it did not suit the personal convenience of members to sit at this time of year. If the Ministers were not ready, if they wanted time to deal with matters new to them, that was a reason why they should not have taken office away from those who already possessed the requisite information. Inquiry was still refused; the presumption must be, therefore, that the Ministers feel the justice of the demand, but wanted to evade it. If such conduct were pursued, this great question would at last be settled, not in that House, but out of it.

Mr. Brotherton complained of the exis ing distress. He was no

adherent of party; he would support any Ministry which would give good measures. He implored the Ministry to declare its policy before it should be too late.

Mr. Ward said, that if the right honourable Baronet had had no time for the last three weeks, he had had plenty of time before. An announcement of the financial plans was not perhaps to be expected; but on the Corn question, a clear declaration ought certainly to have been made.

Mr. A. O'Brien was satisfied, and so would be the country, to grant the required delay, because he and they had confidence in the present Government.

Mr. Cobden said, that if public opinion had been with the Conservatives, they would have carried their elections without the bribery which had lately been practised. He enlarged on the existing distress at Stockport and in other northern districts, and doubted whether, if this discussion should be postponed for six months, there would not be many of his own constituents removed by death or emigration. He hoped care would be taken this winter to let the people know who robbed them; the robbers were not the capitalists, but the friends of the Corn-laws. Sir Robert Peel, on a former night, when the distress at Bolton was mentioned, seemed to think the operatives might be content with pauperism. No; they would not consent to be made paupers. They would, if possible, get rid of the law which deprived them of food; if they could not do that, they would submit themselves to the secondary punishment of transportation. He protested against treating these subjects as party questions — against making the House a mere debating club — against postponing the question of the Corn-laws throughout the coming winter, in which a convulsion was deeply to be apprehended.

Viscount Sandon was surprised at the charge of delay from the other side of the House, and not less at the charge of corruption, when he remembered the cases of Bridport, Nottingham, and so many other of the Opposition boroughs, contrasted as those cases were with the unbought elections for the counties. He believed the Conservative gentlemen had shown as much humanity as the mill-owners, who kept up this excitement to divert the minds of their operatives, and sought to monopolize the character of benevolence. In private, the capitalists of Lancashire would themselves admit the true cause of the distress to be over-trading and not Corn-laws.

Sir Robert Peel desired, in explanation, to defend himself from Mr. Cobden's charge, that he wished to leave people in that state of pauperism of which some frightful instances had occurred at Bolton. So far from it, he had, on the very day after his appointment to office, requested the Secretary for the Home Department to send an Assistant Commissioner to Bolton, for the special purpose of inquiring into the painful circumstances which, from the time of the former debate, had continued to press upon his memory.

Mr. Hawes entered into the general question as between the fixed duty and the sliding-scale, contending earnestly for the former, and lamenting that Sir Robert Peel had not thought it his duty to give the desired explanations.

Mr. Litton hoped, that the

4,000,000 or 5,000,000 of agricultural labourers in Ireland would not be wholly forgotten, in the sympathy of the House for manufacturing distress. But the Irish labourers would have been destroyed by such a Corn-law as the late Ministry desired to pass, and the agricultural towns would have shared their fate. In that country, the satisfaction at the change of Ministry was universal, among those who had anything to lose.

Mr. S. Crawford thought that, on the contrary, nothing would be so useful to Ireland as a total repeal of the duties on corn.

Mr. M. J. O'Connell, though he gave Lord Eliot credit for meaning well to Ireland, could not anticipate that that noble Lord would be able to execute his good intentions; nor was there reason for giving the same credit to Lord Eliot's colleagues.

Mr. Hardy attributed the distress in the North of England to over-production, occasioned by the facility of borrowing from joint-stock banks. He vindicated his own friends from the imputation of bribery, and observed, that the Ministerialists had gone to every election with the promised bribe of a big loaf.

Mr. Hindley asserted the existence of the distress, and denied that it arose from over-production. There was not too much of manufactured goods, but there was too little of food.

Mr. M. Milnes vindicated the postponement of the explanations demanded by the Opposition. Gentlemen on the other side could not impugn the principles of a majority of the House, except upon the ground that it did not represent the majority of the country. But surely Lord John Russell, the author of the Reform Act, could scarcely head a party founding itself on that assumption.

Mr. V. Smith made some observations in answer to the statement of Sir Robert Peel, respecting the finances of New South Wales.

Sir Robert Peel vindicated his own accuracy, by reference to a despatch of Lord John Russell, who said a few words by way of explanation.

Mr. Fielden moved, as an amendment, that no supply be granted until after an inquiry into the causes of the existing distress. This Amendment was seconded by Dr. Bowring, but it gave rise to no discussion, and was negatived on a division by a great majority.

The Speaker having left the chair, Sir Robert Peel proposed, that the House should choose a Chairman of Ways and Means, who should also act as chairman of other public committees, and attend to the conduct of such private bills as were unopposed. For this office he proposed Mr. Greene, who had previously held the same, and that Gentleman was at once unanimously called to the chair, and returned thanks to the House for the honour conferred on him. The first item in the Miscellaneous Estimates was then moved, and voted without a division; after which the House adjourned.

The subject of the state of the country and of the Ministerial policy was renewed a few nights afterwards in the House of Commons, in a desultory debate which took place on going into a Committee of Supply. Mr. Otway Cave protested against the course taken by the Ministers on the Corn-laws. He thought it would be said, that it was marked by in-

humanity, impolicy, and inconsistency. When the working-classes coupled that course with the expressions attributed to a noble Duke in another place, "that their misery was in a great degree their own fault—that in this country such a state of things prevails, that any man with common honesty and common prudence may provide a competency for himself," he would not say, that these expressions were enough to drive the working-classes mad, but he feared it would greatly tend to augment their discontent. He thought also that they would couple it with another assertion uttered on a former occasion by the Member for Liverpool (Viscount Sandon), who said, that "he thought the present Corn-laws unconnected with the present distress." He thought also that they would be greatly grieved, when they read the assertion attributed to the right honourable Baronet the Member for Dorchester, who advocated scarcity-prices at all times and at all sacrifices: the right honourable Baronet was reported to have said, that "he who lays the axe to the root of protection—who by forced enactments would decree that diminished produce should not be compensated by a high price—would depreciate native industry, and prove fatal to the agricultural interest." This doctrine was therefore openly advocated, that at all hazards and sacrifices scarcity-prices must be kept up. He feared, when the working-classes read these expressions, and saw coupled with them the door of the House of Commons shut for five months in the face of a starving population, it needed no prophecy to predict what would be the evils and discontents which would prevail in the approaching winter. He might say also, it was inconsistent in the right honourable Baronet (Sir Robert Peel) to ask for this delay. He had not his speech by him at that moment, but he believed that he said in April last, "that one month's delay on the subject of the Corn-laws would be an intolerable evil;" and yet, after three months' delay, the right honourable Baronet asked for five months more. Mr. Cave wished to know when Sir Robert Peel's difficulties with regard to Ireland had been got over, and whether he intended to persevere in bringing in Lord Stanley's Registration Bill? He believed, that honourable Gentlemen opposite hated Ireland "with a pure and perfect hatred." They thought themselves justified in doing so, from the enormous fictions about Ireland which were published in the newspapers. Of the private and personal character of the two noblemen who were to fill the situations of Lord-Lieutenant and Chief Secretary for Ireland, no one could entertain a higher opinion than he did; but they would hardly tell him that they were experienced and practical politicians. The inference which the people of Ireland had drawn from two such appointments was, that two politicians unaccustomed to the conduct of great affairs had been sent to try "their 'prentice hand" on Ireland —"*experimentum in corpore vili.*" Of this he felt certain, that if those two noble Lords had the most perfect and best intentions and the highest abilities, they would all be frustrated by a Cabinet containing the present Lord Chancellor and the Member for North Lancashire. He therefore asked a clear and unequivocal answer to his question; and if it were not

given, the Irish people would feel themselves justified, and have no other resource than to resort to political agitation, and that without the least delay.

Sir Robert Peel replied to Mr. Cave's question, that he certainly did not intend to re-introduce Lord Stanley's Bill, nor had he any immediate intention of bringing forward a measure on the same subject; but, in concert with Lord Stanley and the House generally, he should be exceedingly glad to correct such abuses as notoriously prevailed in the system of Irish Registration. He should at the same time be exceedingly unwilling, in attempting to correct those errors, that the franchise which it had been intended to confer upon that part of the United Kingdom under the Reform Act, should suffer any limitation.

Mr. S. Crawford urged upon the House the great distress which existed at Rochdale, and said, that, if Sir Robert Peel could not propose measures to relieve the people, some temporary Act should at least be passed to lower the price of food, by removing the tax on the importation of foreign corn.

Mr. Thornely also bore testimony to the alarming depression in every branch of manufacturing industry.

Sir Robert Peel heard with the deepest regret any account of the sufferings of any portion of the people; but at the same time he had a very strong impression, that it was very difficult, by any act of legislation, suddenly to provide a remedy. He should only be countenancing a fatal delusion, if he encouraged the belief that it was possible for Parliament to adopt any measure by which immediate relief could be afforded. The only hope with respect to the effect of legislation was to lay the foundation for improvement, and work a gradual amelioration in the condition of society.

The same topics and arguments were repeatedly urged upon the Prime Minister during the remainder of this short session by Members on the Opposition side of the House. The most distressing statements of the depression of trade and the sufferings of the manufacturing classes at Bolton, Paisley, and other places, were continually made, the policy of the Government in deferring the introduction of remedial measures was warmly impugned, and Sir Robert Peel was urgently pressed again and again to make some disclosure to the House of the nature of the relief which he proposed to afford. Several public meetings were also held, and petitions sent to Parliament, praying that the Houses would not separate until they had devised some remedy for the existing distress, and settled the question of the Corn-laws. Sir Robert Peel, however, stood firm to the resolution which he had originally announced, of taking time to deliberate on the policy which he should adopt, and he refused to accede to the demand which his opponents made, that he would at least give them some intimation of what his future plans were. When urged by Mr. M. Gibson, Mr. P. M. Stewart, and others to speak out, he made answer, "If all the honourable Gentlemen wished for was to know a little bit of his mind, he could see no practical advantage that would be obtained by the gratification of the wish, and he thought the course which he himself proposed to pursue would be found a much

more rational one. He and his colleagues had been called upon to repair some share of the enormous embarrassments in which the finances of the country had been involved. Under these circumstances, they asked the House of Commons to allow them a sufficient time to take a comprehensive view of the state of the country, and to mature those plans which they would feel it their duty to submit to the consideration of Parliament. He had distinctly stated, at the close of the last Session, that if called to power, he would not bring forward any premature declarations as to the intentions of her Majesty's Government. This declaration he had made repeatedly, and the sense of the country had been taken at the general election, under the distinct announcement that such was his intention. The declaration of the country, as given by the elections, was clearly in favour of the course which he proposed to take."

Later in the Session, some interesting discussions took place in the House of Lords on the same subjects, but as they bore immediate reference to the financial arrangements proposed by Mr. Goulburn, it will be necessary first to explain the nature of his plans. He brought forward his statement in a Committee of Ways and Means, on the 27th of September. He first explained what was wanted. The Supplies which the House had voted during the present session of Parliament amounted to 1,727,432*l.*; and consisted, first, of that portion of the Miscellaneous Estimates which had not been voted in the last session of Parliament, and of the Canada Estimates, of which part only had been voted last Session; and he had to add the Supplementary Estimates for the Ordnance, amounting to 67,744*l.*, and a deficiency in the Ways and Means to meet the Supplies which had been voted in the last Session of Parliament, amounting to 24,896*l.*; thus making a total of 1,727,432*l.*, which had been voted in Committee of Supply. In addition to what had been voted in Committee of Supply, there was a charge for the interest of Exchequer-bills, for which it was necessary to provide from the Ways and Means, of 740,000*l.*; and this, added to the sum he had previously stated, made a total of 2,467,432*l.*, which the House was called on to provide for.

That did not differ materially from the deficiency anticipated by Mr. Baring. The House would be already aware that he proposed funding a portion of the unfunded debt. The amount of that debt was not perhaps very alarming; but he had always contended that it ought not to exceed what could be easily and lightly borne. As long as Exchequer-bills were the only safe securities giving daily interest, a comparatively large amount of Exchequer-bills might properly be left afloat; but approved banks and good discounts now yielded a larger daily interest than Exchequer-bills, which last therefore, it became desirable to reduce. His proposal to the public had been completely successful; and the subscription he had obtained would enable him to give the requisite relief. The sum subscribed had been upwards of 3,500,000*l.*, exceeding by a million the amount he had called for; and the terms he had offered (the difference in the price of the funds being considered) were not higher than those offered by Mr. Spring

Rice in 1838. The bonus would be found to be about 18*s.* 10*d.* per cent. With respect to the requisite supply, immediate taxation was clearly out of the question, and he would therefore be, under existing circumstances, prepared to propose a mode of supply, which, as a permanent resource, he should certainly deprecate, by an issue of Exchequer-bills, or a sale of stock, at the option of Government; and he suggested this alternative method in order that the market might not be presently flooded again with a quantity of Exchequer-bills, equal to that from which it had just been relieved. The question as to the mode of raising permanent revenue would most properly, he thought, be postponed until there should have been time and opportunity for considering the whole subject, and for endeavouring to effect some permanent equalization of revenue with expenditure.

He looked forward to that period when, after looking to the receipts of the country and to the sources of the national wealth, they should be enabled to devise a mode of drawing out the resources of the revenue. He looked forward to that period when they should be enabled to take the whole case in detail, and when they would not be called on to consider the mode of dealing with the deficiencies of one year, but to consider how the whole expenditure and revenue of the country could be put on such a footing as would render them equal to each other.

He concluded by moving a resolution in accordance with the plan which he had explained, for funding the recent subscriptions in 3 per cent. Consols.

Mr. Baring, the late Chancellor of the Exchequer, expressed his satisfaction that the six months elapsed since he made his financial statement, had not been found to have materially varied his calculations. He doubted whether the success of the Chancellor of the Exchequer would turn out to be so complete as that Minister expected. The terms on which he had dealt had certainly been fair ones. They were the terms offered by the Whig Chancellor of the Exchequer in 1838, and one-third lower than the terms of the Tory Government ten years ago. He thought it wise of the Government to have avoided what was called "a loan;" and approved the alternative of an issue of Exchequer-bills, or a sale of Stock. But all this amounted to the very plan which the late Ministry was blamed for bringing forward. If he thought this delay were asked merely for the purpose of giving fair time for consideration, he should make no objection; but as there had been time enough to turn out the late Ministry on the point of Finance, the point of Finance must have been fully considered, and the Chancellor of the Exchequer ought to have been ready this session with some intimation of the result.

Mr. Goulburn contended that his measure had already succeeded, for the money subscribed was sufficient to reduce 2,500,000*l.* of the unfunded debt; and the option of issuing new Exchequer-bills, or selling stock, secured the money which would be wanted for the supply. He contrasted the details of his own arrangement advantageously with those of Mr. Spring Rice's management. It was no ground of blame in a matter of so much fluctuation, that former Tory

Governments had been obliged to offer higher terms. He desired not to be understood, in his request of further time for consideration, as expressing any opinion that it would be practicable to dispense with additional taxation; but he thought it his duty to examine fully into the whole subject before he came to any specific recommendation. It was said that the late Ministry had been blamed for propounding the very plan which the present Ministry had adopted. But the difference was, that the late Ministry had been long in office, with full time to digest their plans; the present Ministry had had only three or four weeks to deal with all the various business which pressed upon them.

Mr. Williams objected to any increase of the national debt, as throwing upon posterity the burdens which ought to be borne by the present generation. He would propose to make up the deficiency by diminution of expenditure.

Dr. Bowring complained of the inordinate expenditure of modern times.

Mr. Hawes expected no extensive commercial or fiscal reform from the present Ministers, differing as they did among themselves upon the great and often-debated question of the Corn-laws. He vindicated the Budget of the late Government, and declared himself disappointed at the course the Ministers were taking, and at their delay in the announcement of their plans. He was particularly anxious to know their intentions on the subject of the Corn-laws.

Mr. Ewart denounced the protracted and mysterious silence of Government. He gave an enumeration of the mills now at a stand, or only partially working, in several of the great manufacturing towns, amounting in all to about 50 sets of premises. He expatiated upon the necessity of free-trade as a remedy for these evils, and thanked Lord Stanley for the admissions made by him at his late election on the subject of the Corn-laws. He wished that Sir Robert Peel would endeavour to bend circumstances to his views, rather than shape his views to circumstances.

Mr. Scott pressed the Government to consider the state of the country before the prorogation.

Sir Robert Peel hoped he should not be deemed guilty of disrespect to the gentlemen opposite, if he persisted in his reserve. The present Ministers ought not to be charged, as some had charged them, with the blame of all expenses they had not resisted when in Opposition. For instance, in the case of China, they had objected to the policy of Viscount Melbourne's Government, but that policy being once adopted by Parliament, the then Opposition could not, without injury to their country's honour and interest, have opposed the grants which were necessary to carry her through the contest. But whatever reductions it should be found possible to make, this Government was disposed and determined to attempt, although there seemed very little chance that reduction could be carried to any such extent as would relieve the country to the amount of the present deficiency of 5,000,000*l*. Much had been said of the present deplorable state of the country. He begged that gentlemen would remember, at a future day, their own accounts of the condition of public affairs at the accession of

the present Ministry. He admitted and sympathised with the existing distress; but he cautioned Members against the exaggeration of it. A case had been cited some days ago by Mr. Hindley, of extreme wretchedness: Government had inquired into it; and the statement made to Mr. Hindley had turned out utterly untrue. He was resolved that while he had the powers of Government, inquiry should be made into all cases specifically stated.

Viscount Palmerston admitted that if the large measures proposed by the late Government were to be rejected, the present plan was better than immediate taxation. The country had been pleased, by returning a Conservative majority, to place the present Administration in office, and the first fruit had been an addition of 2,500,000*l.* to the national debt. He hoped they might not find the new Ministers dear at the money. He thought the House had a right to know from those Ministers, not indeed what were the details of their plan, but what was the principle of it: unless they had made up their minds about that, they should not have used the Budget as the means of turning out the late Administration. They were not entitled to blame the expenses of the Army and Navy; for they had ever urged increase instead of diminution in our armaments. What might be their intentions on the Corn-laws none knew. There was an obvious difference among them on this point; and though it might be reasonable to give them some time for agreeing among themselves, yet there might be a limit to that delay, and Parliament ought to be again assembled in the course of the autumn. The degree of the existing distress might be disputed, but none could deny that it arose in no small measure from the Corn-laws. He could not believe, till he should actually see it, that Sir Robert Peel, whose general principle was to consult public feeling, could intend to prorogue in the first days of October, without coming to some decision on this great question. Whatever that decision should be, the parties interested ought to know it. The present uncertainty was a clog to all transactions, and an injury to all classes.

Mr. Fielden hoped that Sir Robert Peel would devise some means for relieving the distress he might inquire into.

Mr. C. Wood criticised Mr. Goulburn's statement, pressed like the preceding speakers for further announcements from the Ministers, and insisted on the advantages of free-trade and the necessity of alterations in the Corn-laws.

Some financial explanations passed between Mr. Goulburn, Mr. Baring, and Mr. C. Wood; and the resolutions necessary for effectuating the measures opened by the Chancellor of the Exchequer were voted without further opposition.

On the second reading of the Exchequer-bills Funding Bill being moved in the House of Lords, Viscount Melbourne made some caustic remarks, though in a tone of great good-humour, on the Financial proposals of the Government. He said:

"Of course, having a deficiency, that deficiency must be supplied by some loan or form of borrowing; and I do not know that I have any particular objection to

the form in which it is now proposed to be done. I know only one objection, and it is certainly a very great one—that it has failed; that you have not succeeded in your object—that you have not raised your money—that you have not funded your Exchequer-bills. Certainly, I am the last man who would say any thing likely to produce any effect upon the money-market, and I am very unwilling to say any thing which would run the risk of having any effect there; but I think, considering what is said of the financial affairs of the country—considering the language which the Government itself has held on that subject, and considering the state of the money-market—you ought to have taken care that you succeeded. If you were deterred by any apprehensions that you would make a worse bargain or make worse terms than those which were made by the late Chancellor of the Exchequer—if you were actuated by any feelings of that kind, which I fear you were, you should still have endeavoured to carry your point, and not have adopted and acted upon a short-sighted and injudicious policy."

At the opening of the Session, Lord Ripon had made a very able speech, reprobating the Government of that time for resorting to temporary expedients.

"Now, could any thing be more completely a temporary expedient, or more objectionable than this measure, which was the first beginning of the new Government? They were getting rid of the matter by the temporary and objectionable expedient of a loan, and adding to the Funded Debt without making provision to pay for the interest of the addition. The Chancellor of the Exchequer himself introduced the measure to the House of Commons, by saying, that it was entirely an expedient, and in the highest degree objectionable. Viscount Melbourne did not object to it now; but it was a little curious that this Government having censured the late Government for such a course, the first of its own acts should be what was admitted to be so entirely temporary and objectionable."

Lord Ripon had talked of the "immense difficulties" of the country, and the phrase had been repeated with interest in the House of Commons; admitting that there were difficulties, it was an exaggeration, to say, that the finances of the country were immensely involved. It was neither correct in fact, nor wise or prudent to hold the language of despondency, which must of itself tend to weaken the resources of the country. If these difficulties were so immense, they ought to be taken into immediate consideration; and at any rate, where was the necessity for delay? The present Government had the same task as the last—either to lessen the expenditure or to increase the revenue. The proposition was very plain; there was no mystery. What were they looking for? Surely they were not looking for the philosopher's stone? As to the attendance of Peers, let but the Duke of Wellington give notice that he was going to bring forward a motion about the Corn-laws, and at any given time he would answer for it, there would be an ample attendance of Members both of that House and of the House of Commons.

The Earl of Ripon was always well-disposed to listen to the noble Viscount in a jocular strain, and

not less so even when some of his wit was directed against himself; but he did not suppose it would be expected of him that he should now enter into any arguments in defence of a speech which Viscount Melbourne had had a full opportunity of answering at the time when it was made, but which he had not chosen to answer till the present occasion, and then in a manner which seemed to him (Earl Ripon) by no means conclusive. It was a mistake to say that the present measure was a failure: the Chancellor of the Exchequer, it was true, had not obtained all the five millions, but he had obtained a million more than enough to cover the deficiency. Although the late Government stood pledged to bring forward certain measures, it did not follow that their successors were bound to strike out off-hand some new plan of Finance. Besides, all that the late Chancellor of the Exchequer expected to raise by his measures was 1,700,000*l.*; so that he would still have had to raise 700,000*l.* by loan.

The Duke of Wellington thanked Viscount Melbourne for his suggestion as to the mode of obtaining a large attendance of Members in the House, but he would never announce any intention which he did not entertain:

"I have no intention of bringing forward a scheme for the alteration of the Corn-laws. I have not the power of doing so: I have not sufficiently considered these measures, and therefore I will not. I decline to announce any such intention to the House; and I beg to suggest to the noble Viscount, that if he wishes to collect a number of Peers, he must propose some other scheme."

The deficiency of two millions and a half was not the entire amount of the arrears to be provided for. Demands were coming upon the Treasury from the Colonies and elsewhere:—

He found that, what with Bills from the Colonies and the demands from the East, from Canada, and elsewhere, there was a very large outstanding account, which had never been reckoned at all in the statement of the Budget, and which, with the other additions he had named, besides other items, had to be added to the declared deficiency of 2,500,000*l.*? Moreover, if he had not been misinformed, there was a number of orders which had been issued for carrying out a variety of things, which were not reckoned, but all of which must be taken into consideration before any Government could pretend to come before the country and state what would be the permanent expenditure.

Lord Brougham hoped that the Government would be prepared soon after the re-assembling of Parliament, to enter on the consideration of the Corn and Provision-laws.

The Bill was then read a second time.

A few days afterwards the Earl of Radnor revived the discussion, alluding to the Duke of Wellington's declaration that he had no alteration to propose in the Corn-laws, which he understood as a general assertion of the intention of the Government to propose no change in those laws. He thought that such a declaration was calculated to excite serious feelings of dissatisfaction in the public mind. He enlarged also upon the distress of the country, and said he thought the Government were assuming a

great responsibility in advising her Majesty to turn a deaf ear to the prayers of the people, and to send Parliament about its business.

The Duke of Wellington reprobated the disorderly practice of referring to former debates, and complained that he had been completely misrepresented in the present instance.

"Now, if the noble Earl had attended closely to what passed, and had remembered it accurately, he would have known, and of course would have said, that it was not I, but the noble Viscount lately at the head of the Government, who had referred to the subject, when he said that if I would give notice of a motion for an alteration of the Corn-laws, I should soon secure a full attendance in both Houses of Parliament. My answer to that was, 'I will not announce any intention which I do not entertain, in order to secure a full attendance of Members. I am sure the noble Viscount will admit the correctness of that statement, and that what I referred to was the attendance of Members in the present session of Parliament. I am sure the noble Viscount could not mean that the notice was to be given to secure a full attendance in six months' time, or any distant period. (*"Hear, hear!" from Viscount Melbourne.*) I admit that such a notice now would bring a full attendance in both Houses; but what I meant to convey and stated was, that I am not prepared *at the present time* to bring forward any motion for a revision of the Corn-laws."

The subject required to be considered in all its bearings on Commerce and Finance, and other important matters, with which it was connected by the late Government. He had certainly once brought in a bill to establish the present law; but he found it necessary to renew his information on the subject. He had at different times since discussed the question, and had endeavoured to refresh his memory on the subject by the perusal of important documents connected with the principle on which it was founded. He did possess some knowledge of the subject; but he must say that it stood in a different light now from what it did when he brought it forward twelve or thirteen years ago; and those who would consider it must look at it with deep attention, and not submit any scheme on the subject to that or the other House of Parliament, which was not maturely weighed and considered, not only with reference to other questions with which it was connected by different motions made and discussed in the other House of Parliament, but also in reference to treaties between this country and other powers, and also the treaties of other powers with each other, and combined with these the general relations by which it was connected with the social system of this country. On these grounds he fully agreed that it was a matter which should not be taken up in a hurry, but must be deliberately examined in all its bearings. He did not deny the distress; but the sitting of Parliament could not remedy it. The noble Earl himself had stated that there had been lately imported into this country 1,700,000 quarters of foreign corn, and he was aware that before that importation there was in store a supply of corn amounting to 1,200,000 quarters—making in all nearly 3,000,000 quarters, besides

the produce of the harvest, which was now got in. From these facts he concluded that there could be no distress arising from want of a sufficient supply of corn. There was, he regretted to say, distress existing from want of work and deficiency of wages, and other causes, into which he would not then enter; but he repeated that he did not know, and had not heard from any quarter, how Parliament could remedy such evils. They were the results of a variety of causes, which Parliament could not remove if it sat continuously from now till February next.

Lord Kinnaird expressed his satisfaction that the Duke of Wellington had given this explanation, as he had understood his words in the same sense as Lord Radnor had done, and he was strengthened in that impression by the declaration which had been made by the Duke of Richmond, that the agricultural party, who had brought in the present Government, could easily turn them out again.

The Duke of Richmond disavowed the declaration imputed to him. It had been said that Sir Robert Peel and his friends would turn round upon the agriculturists, as they had done upon the opponents of the Roman Catholic Relief Bill, and force upon them the very measure they had denounced; and he had said, merely in reply to that argument, and not as a threat, that if Sir Robert Peel supported the 8*s.* fixed duty, the agriculturists, who helped him into power, would have no difficulty in turning him out. He was not one of those who thought that the Corn-laws could never be touched; but in any alteration care must be taken to give due protection to agriculture. The discussion here ended.

The Supplies having been granted, and the financial necessities provided for, the only measures of importance which it remained to carry into effect during the Session were the Bill for the better administration of justice in the Court of Chancery, and the Poor-law Commission Continuance Bill. The former, being merely a revival of the measure which was thrown up by the former Government in the preceding Session, as has been related in a former chapter, quickly passed through both Houses, meeting with scarcely any discussion in its way, and received the Royal Assent. The latter subject, being more closely connected with political interests, and affording occasion for reference to other existing topics of a kindred nature, gave rise to a good deal of desultory debate in the House of Commons.

On the 21st Sept., Sir Robert Peel obtained leave to bring in a bill to continue the office of the Commissioners for six months only, viz. till 31st July, 1842.

He did not, by proposing the continuation of the Commission for six months mean to imply any reflection on the determination to which the House might come upon his suggestion: he proposed it in conformity with the principle on which he had acted, namely that it was not desirable to call upon the House to discuss important matters of extensive bearing during the present Session of Parliament; entirely reserving to himself the power, after mature consideration, of making a proposal of a more extended character, or such other proposal as the Government might deem necessary for the public interests, when the Parliament should again assemble.

Afterwards, Sir Hesketh Fleet-

wood having expressed a hope that it was distinctly understood, that no person who voted for the motion implied his approval of the Poor-law, Sir Robert Peel observed, that the present was a separate Bill, to continue for a given time the Poor-law Commission; and he added a more decided caveat against meddling with the general law in dealing with the Bill before the House —he would at once state, that he meant to oppose any amendments that might be brought forward in the discussion upon the present measure which would affect the principle or the operation of the Poor-law itself. He had already said he would give honourable gentlemen every opportunity of opposing the present measure, and he certainly could not prevent them from discussing amendments having for their object alterations in the Poor-law; but he could not permit any such amendments to be introduced into the present Bill, which was one merely for the continuance of the Commission.

In the course of the discussion, Mr. Lefroy bore testimony to the generally successful working of the Irish Poor-law. Mr. Escott would not oppose the second reading of the Bill, as there was not sufficient information before Parliament on which the House could fairly legislate.

Mr. Rice could not disconnect the Poor-law from the Corn-law; and since Sir Robert Peel was not prepared to state what he should do with the Poor-law as a whole, he ought not to allow partial discussions of it.

Sir Robert Peel took advantage of this remark to strengthen his position in postponing the discussion on the Corn-laws.

"The honourable member opposite said that the Poor-law and Corn-law questions ought to be settled together: supposing this to be right, it would have been his duty on accepting office, not merely at once to have brought forward a Bill for the adjustment of the Corn-laws, but to submit to the consideration of the House, during the present session of Parliament, all the modifications which it might be the intention of the Government to suggest respecting the permanent improvement of the Poor-law. Now he asked the House, whether the Government could possibly do justice to the Poor-law question, without having an opportunity of considering the local operations and bearings of that law throughout the country. Would it be possible for a Government, without availing itself of that information which the Commissioners could enable them to procure, to take a question of such immense importance, upon which it was desirable to conciliate the public mind, into their immediate consideration, within a week of their acceptance of office? to be prepared, not only with a Bill for the amendment of the Corn-law, but also with one for the amendment and regulation of the entire Poor-law? Whatever might have been the intention of the honourable Member, a more powerful justification of the course pursued by the Government had not yet been made."

On the House going into Committee on the Bill a few days afterwards, Mr. R. Yorke, one of the Members for York, moved an instruction to the Committee, to the effect that the Poor-law Commissioners should not be empowered to enforce separation between man and wife, except where the application for relief arose from

idleness, vice, or crime. He quoted the injunction of Scripture against separating those whom God had joined together, and called on Members on the Ministerial side to act up to their pledges given on the hustings.

Sir James Graham, feeling the great importance of this subject, excused himself from following the last speaker into the merits of his argument, lest he should be obliged in like manner to discuss other proposals of detail, and thus defeat the very object of the present Bill, which was simply to postpone the whole consideration of the measure until the Government should have had time to weigh it carefully, and to mature such remedies as might be necessary for particular defects and evils. On the present proposal he would only observe, that the separation complained of was not a novelty introduced by the Poor-law Amendment Act.

Mr. Stuart Wortley, approving what had been stated by Sir James Graham, suggested to Mr. Yorke that his perseverance would place those who wished to support him in a difficult position. He himself was reluctant to vote against the instruction, and yet he felt the inconvenience of ingrafting it upon a mere Bill of temporary continuance. Either they ought to discuss and remodel the whole Poor-law now, or they ought to confine themselves to the mere prolongation of the Commission. He was not shrinking from his own pledges; he would deliver his opinions fully when the subject should be regularly before the House. The only instruction among those announced which was fit to be now considered, was that which went to forbid the formation of new Unions in the mean time.

Mr. V. Smith said, that since no great measures were to be discussed this Session, the Poor-law might as well be postponed as the rest. He thought, however, that the Government were bound at once to state whether they were prepared to continue the Commission.

Sir Robert Peel said, that this was the precise course intended to have been adopted by the late Government: when they found it was too late to proceed with the consideration of the Poor-law, they had been prepared to continue the Commission for one year.

Mr. Pakington deprecated the acrimonious spirit in which the debate had been carried on by the Opposition. He believed that the regulation to which the proposed instruction referred was carried into effect not only in the Gilbert Unions, but in every well-regulated workhouse throughout the kingdom. He believed that no Government ever enjoyed more of the confidence of the country than the present; but if anything could shake that confidence, it would be their consenting hastily to go into the discussion into which the Opposition by their factious proceedings tried to force them. He believed, that with respect to the Poor-law, as well as embarrassed finances and depressed trade, the country was in a very critical state: he believed that the history of the year 1841 would be found to be a complete blank as regarded useful legislation, and that hereafter public attention would come to be forcibly directed to this fact: but to whom would they attribute such an extraordinary result? Not to her Majesty's present Government. No, they would attach the cause of all this to the former Government, who, instead of giving their

attention, in the last year of their holding office, to the means of removing the existing distress, had preferred to devote themselves to a desperate attempt to keep up their own power. He had never been an enemy to the Poor-law, and he must give his testimony to its useful tendency, and to the praiseworthy manner in which, for the most part, their powers had been exercised by the Commissioners. He exhorted the House to discuss the subject in another session with more freedom from party-spirit.

Mr. C. Buller thought that the Ministers had acted wisely in proposing the simple continuance of the measure, until there should be time for careful and deliberate discussion. To him it appeared, that if they must take the instruction of the honourable Member for York, they ought to go into the whole of the Act from the beginning to the end; and then, with diligence, they might, by continuing their sittings till this time next year, make some approach to a conclusion of the undertaking. He scarcely believed that any one of the clauses would escape: he believed that there would be amendments moved upon every line of every clause. He commented on the inconsistency of some Conservative Members who had made vehement professions of hostility to the Poor-law on the hustings, which they now seemed to have forgotten.

On a division, the instruction moved by Mr. Yorke was rejected by 187 to 36.

Mr. Sharman Crawford afterwards moved another instruction to the Committee in a speech of great length, in which he dwelt upon most of the objections usually urged against the new system by its opponents. Specifying six principal matters of grievance, viz. the separation of families; arbitrary punishment, and too severe discipline; harshness to the aged; bad food; difficulty of obtaining admission into the workhouse; and the mixture of the virtuous with the profligate; he illustrated these evils at considerable length by specifying particular cases of abuse which had occurred both in England and in Ireland; in which latter country, he said, the measure was more vicious and oppressive than in England. He concluded by moving, that it be an instruction to the Committee:

"That it shall not be lawful for the Commissioners, from the date of the passing of this Bill, to declare the formation of any new Unions in districts which are not already placed under the operation of the act 4th and 5th William IV. c. 76."

Mr. Busfield Ferrand seconded the motion in a speech of considerable warmth and vehemence. He identified the Poor-law with the Factory-system. He believed it had originated in a deep laid design between the rich cotton-spinners of Lancashire and the Poor-law Commissioners. He inveighed in strong terms against the Anti Corn-law League, their agitators and lecturers, for trying to set landlords and farmers against each other. It would be found upon enquiry that the proprietors of large estates set the very best example by their conduct towards the suffering poor; while the manufacturers made large fortunes by the sweat of their labourers. He quoted reports and returns to show the great mortality prevailing in the manufacturing districts, and retorted in strong terms upon the mill-owners the

charges of inhumanity and avarice which they had brought against the landlords.

Sir James Graham said, that the measure before the House did not pledge any one to the maintenance of the Poor-law in its present state; but without the superintending care of the Commissioners for the next six months, the whole management of the poor would be thrown into inextricable confusion. With respect to the local Acts, as the law at present remained, no power existed to substitute the Poor-law where the Gilbert Unions were already in force. He called upon the House to put confidence in the control which the Executive would exercise over the Commissioners. Within the last six weeks, the Commissioners, yielding very judiciously to public opinion, had made considerable relaxations of the law. He then read an order which had been lately issued, involving some very important mitigations in the rule against out-door relief. After specifying some other instances of a disposition to act in a lenient spirit on the part of the Commissioners, he concluded by calling on the House to lend him their support in resisting the introduction of amendments.

Mr. Mark Phillips vindicated the manufacturers against the charges which had been made against them by Mr. Ferrand.

Mr. Wakley in a speech of some length declared his irreconcileable objection to the entire system introduced by the New Poor-law. He thought that it was fraught with danger to the country. It was his belief, that if the House adhered to the law as it at present stood—if its provisions were not considerably mitigated—the country would be stained with blood. He mixed with people belonging to all classes of society; he was conversant with their opinions; and it was the belief of the great majority of the country that the Poor-law was not only inhuman in its nature, but anti-Christian; yes, he would repeat, it was anti-Christian—and that it had its origin in selfishness, the most destructive feeling that could be engendered by the human mind. *He* did not believe, that the Poor-law originated in a feeling of selfishness: it sprang from ignorance of the condition of the poor. He hoped the House would approach the subject in a Christian spirit, and not take it up on the dogmas of the Utilitarians, who would sacrifice everything for the purpose of squaring their principles, even to the grinding the bones of the poor into dust wherewith to manure the soil.

Mr. Crawford's instruction to the Committee having been rejected by 131 to 49, he moved a second, the object of which was to limit the powers of the Commissioners with respect to disallowing out-door relief. This motion, however, was rejected like the former one by a large majority. The bill then went through the Committee and passed; a motion by Mr. Fielden on the third reading, that it should be read on that day three months, having been rejected on a division by 133 to 18.

All the business of immediate urgency which required the attention of Parliament having been now despatched, nothing remained to delay the prorogation, which took place on the 7th October; the Lords Commissioners being the Lord Chancellor, the Duke of Wellington, the Duke of Buckingham, the Earl of Shaftesbury, and Lord Wharncliffe. The Speaker and

the House of Commons having been summoned to the bar of the House of Lords, the Lord Chancellor read the following speech.

"*My Lords and Gentlemen*—

"We are commanded by her Majesty to acquaint you that it appears advisable to her Majesty to bring to a close the present session of Parliament.

"In conformity with the advice of her Parliament, and in pursuance of the declared intentions of her Majesty, her Majesty has taken the requisite measures for the formation of a new Administration, and the arrangements for that purpose have been completed by her Majesty.

"*Gentlemen of the House of Commons*—

"We have it in command from her Majesty to thank you for the Supplies which you have granted to her Majesty for those branches of the public service for which complete provision had not been made by the late Parliament.

"*My Lords and Gentlemen*—

"The measures which it will be expedient to adopt for the purpose of equalizing the public income and the annual expenditure, and other important objects connected with the trade and commerce of the country, will necessarily occupy your attention at an early period after the recess.

"Her Majesty has commanded us to repeat the expression of her deep concern at the distress which has prevailed for a considerable period in some of the principal manufacturing districts, and to assure you that you may rely upon the cordial concurrence of her Majesty in all such measures as shall appear, after mature consideration, best calculated to prevent the recurrence of that distress, and to promote the great object of all her Majesty's wishes, the happiness and contentment of all her people."

The Lord Chancellor then declared Parliament to be prorogued to the 11th November next.

CHAPTER X.

FRANCE.—*State of Public Opinion in France, and situation of Parties —Addresses presented to the King on the* Jour de l'An—*Gratifying reception of the Clergy—Reply of the King—Financial Statement of M. Humann in the Chamber of Deputies—Account given by him of the different branches of the Public Revenues and their probable produce—Official Statement of the Assets and Liabilities of the Bank of France—Conviction and Imprisonment of the Abbé de Lammenais for publishing a Seditious Pamphlet—War-party advocate an alliance with Russia—Conduct of France towards Spain—Speech of M. Guizot in the Chamber of Peers on the Subject—Note addressed by M. Guizot to M. Ferrer, Minister for Foreign Affairs of Spain, in Answer to the Manifesto of Queen Christina—Question of the Fortifications round Paris—Appointment of a Committee to Report on the Subject—Report drawn up by M. Thiers—Discussion thereupon in the Chamber of Deputies—Speeches of MM. Carnot, Thiers, Marshal Soult, M. Guizot, and others—Amendment proposed by General Schneider for erecting Works on a less extensive scale opposed by M. Guizot, and negatived—Bill for fortifying Paris passed—Bill introduced by the Minister of Finance (M. Humann) demanding Credits—Speech of M. Humann—Forged Letters imputed to Louis Philippe—Prosecution of French Journals for publishing them—Execution of Darmes the Regicide—Discontent throughout France, and serious Disturbances in the Provinces on account of the pressure of Taxation—Riots at Toulouse, Lyons, and other places—Disturbances in Paris—Attempt to Assassinate the Duke d'Aumale on his return from Africa—Seizure of Quénisset the Assassin—Account of the "* Communistes"*—Trial and Condemnation of Quénisset and his Accomplices—Trial and Conviction of M. Dupoty, Editor of the* Journal du Peuple *— Government Prosecutions of the Press in France—Treaty for the Suppression of the Slave Trade signed in London between France and the other great Powers of Europe—Account of the State of external Commerce of France, published by the Administration of Customs.*

THIS year opened with better auspices for the peace of Europe than could have been anticipated, from the conduct and attitude of France ever since the execution of the treaty of the 15th of July, at London, of which we have given the history in our preceding volume. True it is, that the feeling of bitter hostility against England was still fostered and encouraged by the violent language of an incendiary press, and, to borrow the words of a contempo-

rary writer, "the feeling amongst all classes was one of anger and exasperation. Carliste, Juste Milieu, Centres, Doctrinaires, and all the varieties of the Gauche, seemed to share it equally; and the provincial press was beyond measure violent and exciting. The Chamber was in a state of decomposition as to parties. The Foreign Minister (M. Guizot) was unpopular; and amidst all this the Court was underplotting and working for its own purposes." The clouds, indeed, rested on the horizon, and it was impossible to predict how soon the excited passions of the French might precipitate a war; but there were many reasons for believing, that this calamity would be averted, and that, on a mistaken point of honour, France would not throw away the scabbard and commence a struggle, in which she must have stood alone, against all the other great Powers of Europe.

In the first place, the question of the evacuation of Syria, and surrender of that country to its rightful Sovereign, the Sultan, had become *un fait accompli;* and a considerable interval had elapsed since England, Austria, Prussia, and Russia, had begun to employ force against the rebellious and obstinate Pasha of Egypt, without any overt act of hostility on the part of France. She had threatened, and shown every disposition to go to war, by increasing her armaments, both by sea and land, on a prodigious scale; but hitherto her anger had been confined to such demonstrations, and unless some new and unexpected event occurred to give her a pretext for declaring war, it was impossible for her to do so on account of anything which had taken place up to this time, in consequence of the signature of the Brunow Convention. In the second place, the Cabinet of M. Thiers had been compelled to give way on this very war-question, and it had been succeeded by the Soult-Guizot Ministry, whose views were much more pacific than those of their predecessors; and the character of the Minister for Foreign Affairs was itself a guarantee, that the voice of moderation and reason would prevail in the Councils of the King. Nor was the least trustworthy security for the peace of Europe to be found in the known disposition and temper of Louis Philippe. He was strongly averse to committing France in an isolated contest with the other great Monarchies of Europe, and was anxious especially to cultivate friendly relations with his powerful neighbour — Great Britain. England herself threw no fuel on the flame of discord between the two countries, and her calm and dignified conduct under the insulting menaces of the French journalists,—*cet affreux silence des Anglais*, as it was on another occasion not inaptly called — contributed, perhaps, more than anything else, to avert the catastrophe of a general war in Europe.

Upon the whole, therefore, there was good reason for believing that the irritated jealousy of France would not lead her into any greater folly than that of keeping up, at an enormous cost, *une paix armée*, and indulging in grandiloquent language about the national honour and dignity, while she stood aloof from the attempts that were made to conciliate her wounded pride by the other European Powers, who were sincerely desirous to cultivate friendly relations with that great and powerful kingdom.

At the commencement of the new year, the principal public functionaries and deputations from the various scientific and other bodies waited upon the King, to present their congratulations on the *Jour de l'An*. Their addresses were, as might be expected, highly eulogistic; but although, under ordinary circumstances, they might be passed over as a mere interchange of mutual compliments, they on this occasion derived importance, as eliciting from Louis Philippe an expression of his pacific sentiments. He seemed anxious to disavow the charge that France was "a cause of perturbation in the midst of Europe," and made use of strong language against the violent menaces of the war-party, who appeared to desire confusion, in order to subvert the throne.

In connection with these addresses, there was one circumstance of a very interesting nature. For the first time since 1830, the Archbishop of Paris, accompanied by his clergy, waited on King Louis Philippe, to congratulate his Majesty on the occasion of the new year. Some difficulties had arisen respecting the order which the clergy should occupy among the great bodies of the state which the King was to receive on that day. The Court, however anxious to assign them the first rank, could not do so, for fear of exciting displeasure and incurring the censures of the press. The only laws which regulate the *ceremonial* of such reception were enacted under the Republic, and they place the clergy last of all. This course was equally objectionable, and it was accordingly agreed that the Archbishop should be received at the Palace on the 31st of December.

The prelate, after thanking Providence, in the Speech which he addressed to the King, for "having made him twice taste the sweetest joys the heart of a father could feel," and in "extending its protection over him on the occasion of the last attempt against his life," fervently prayed Heaven to continue its blessings to him and his august family, to avert for ever the calamities by which it was recently visited, to allay dissensions, and to render France stronger and more prosperous, by rendering her children more united.

The King returned the following reply:—

"I receive with much satisfaction the expression of your wishes and those of the clergy of Paris. It is gratifying for me to see you assembled around me. This was the object of my long and anxious desire, and you know that I seized with eagerness every occasion for proving to you my determination to surround the clergy with that high consideration which I wish them so ardently to possess. Nothing shall cause a relaxation of my endeavours to defend religion, and cause it to be respected. The more the task of governing is difficult, the more it stands in need of the moral support and co-operation of all those who desire the maintenance of order and the reign of the laws. That moral support and co-operation are particularly indispensable to prevent the renewal of those odious attempts, respecting which you have expressed yourself in a manner which much affected me. That moral support and co-operation of all honest men will impart to my Government the strength necessary for the accomplishment of the duties which it is called upon to fulfil;

and I place among the first of those duties that of causing religion to be cherished, of combating immorality, and of showing to the world, despite of all that the revilers of France may say, that respect for religion, morality, and virtue, is still amongst us the feeling of the immense majority."

On the 30th of December, M. Humann, the Minister of Finance, presented in the Chamber of Deputies his financial statement for 1842, and after some preliminary observations said, "In applying for the credit necessary for the estimates of 1842, we have stated that, independently of our accidental wants, the public revenue, in spite of its progressive increase, was no longer equal to the ordinary expenditure of the state. In addition to this expenditure the Chambers have voted 400,000,000f. for works of public utility, which have successsively absorbed the funds which were left disposable by the sinking-fund. These votes have at length reached the presumed amount of the annual reserve. We have also to meet extraordinary expense which may certainly be modified by events, or by the resolutions of the Chambers, but which we must at the present moment bring into our calculation, and which shows a deficiency, although reduced by a special law, as to the outlay for the army and navy, of 500,000,000f. We are also not to lose sight of the fact, that the treasury has to support another excess of 256,000,000f., arising from estimates anterior to 1833, and which has partly absorbed the resources of the floating debt."

M. Humann then stated, that the total amount of the ordinary and extraordinary expenses for the year 1842 would, according to his estimation, exceed 1,316,000,000f. (52,640,000*l.* sterling). The gross income he took at 1,162,000,000f. (46,480,000*l.* sterling) thus showing a deficit of 154,000,000f. (6,160,000*l.*) "To meet the extraordinary expenses called for by the present isolated situation of France," said M. Humann, "and to continue the great public works already commenced, I propose—first, to devote to the extinction of the deficits of the years 1840, 1841, and 1842, the reserve or surplus of the sinking fund from and after the year 1842; and secondly, that the Government be authorised to contract a loan of 450,000,000f. for the completion of those great works undertaken by the Departments of War, Marine, and Public Works." He added, that "his intention was to spread the expense of those works over a certain number of years," and that "he would shortly submit to the Chamber a special *projet de loi* with that object." The Minister of Finance also stated, that he proposed availing himself of a reserved fund of 120,000,000f. actually in the treasury, in order to avoid the necessity for contracting a loan under disadvantageous circumstances; and concluded an elaborate speech by laying before the Chamber a statement of the burdens and revenues of the State. He said that the Budget then presented exceeded by 190,000,000f. that which had been voted in the last session; and that with regard to the mass of expenses, which amounted to 1,316,000,000f., the proceeds of the public revenues, estimated at 1,162,000,000f., according to the results of the year just then finished, showed an insufficiency of 154,000,000f., and if

removing from the Budget all extraordinary charges, they calculated the expenses on a peace footing, the deficiency in the ways and means, would still be 64,000,000f. without including the interests and the sinking fund of the new rentes, which Ministers then proposed to the Chamber to create.

The following account was then given, by M. Humann, of the different branches of the public revenues and their probable produce for 1842: "The amount of the four direct contributions for 1842 is estimated at 396,054,610f., of which 286,030,110f. are for the general purposes of the Budget, and 110,024,500f. for departmental and communal expenses; this valuation exceeds that of the Budget of 1841 by 5,377,800f. The produce of the indirect taxes are as follow. The payment on registrations and on bonds produced in 1840 the sum of 192,845,400f., which is 6,000,000f. more than in the year preceding. In the project of law on the receipts of 1840 we intend to propose fresh dispositions, in order to regulate the duty payable on the transmission of offices, from which we calculate on an increase to the revenue of 800,000f. The Stamp-duty is not so productive as it ought to be in proportion to the increase of business; this branch of the revenue will have the attention of the Government, in order to derive from it more advantage, and to prevent the frauds which now render it so unproductive. We have now entered the receipts of the Stamp-duties at the sum of 34,250,080f., which was the amount received in 1839. A decrease of 635,000f. is foreseen in the produce of the domains and the property of the Crown, valued at 5,044,000f. We shall, however, in the course of 1842, realise a part of the price of the Salt-works in the East. The produce of the forests of the State is borne on the Budget for the sum of 30,342,500f., the same as it was valued at in 1841. The other productions of the forests and the fisheries are valued at 2,087,500f.

"The Customs and Salt-duties in 1840 increased to 181,000,000f.; and although the receipts of 1840 were increased 4,000,000f. by the accidental importation of foreign corn, the renewal of which is not to be desired, we do not think we shall err in estimating the receipts for 1842 at a similar amount. The low price of corn, whilst it excludes the necessity of importing foreign corn, must promote the consumption of other articles which yield a revenue to the public Treasury. The law of July last relative to sugars, seems to us more than an equivalent for the 4,000,000f. in question. The indirect taxes have been estimated upon what occurred in 1840; but as regards beet-root sugar, we have thought it right, in consequence of the progressive development of that industry, to add 3,000,000 of kilogrammes to the quantity yielded by the last harvest, which amounted to 24,000,000 of kilogrammes. We estimate that the new duty of 25f. and the decime will produce a receipt of 7,425,000f. calculated upon a quantity of 27,000,000 of kilogrammes, which, added to the 80,000,000 furnished by exotic sugars, will make a total of 107,000,000. We have thus for indirect taxes, not including tobacco and gunpowder, a total receipt of 139,330,000f. There would be from 36,000,000f. to 40,000,000f. more if at the

end of 1830 the duties upon spirits, wines, &c., had not been reduced one-third. The sale of tobacco furnished for 1840 a receipt of 94,458,000f., but it is considered that it may be estimated for 1842 at 95,000,000f., on account of the progressive increase of consumption. We have estimated the receipts on the sale of gunpowder at the same amount as in 1840, viz., 5,357,000f. We hope to receive from the Post-office department 47,025,500f., which is the amount of the receipt of the last twelve months. It has fallen off only 100,000f., which is owing to the arrangements made for the communication with Corsica. The Transatlantic mail-steamers, although preparing with great activity, cannot be expected to yield any receipts in 1842. Under the head of "Various," in which are included the revenues of Algeria, we have 39,486,582f., which is an increase of 740,000f. upon the last Budget. It has been shown, gentlemen, that the total amount of the ordinary receipts for 1842 are estimated at 1,161,838,142f., viz.:

	Francs.
Indirect taxes . . .	396,054,610
Direct taxes and revenues	695,757,500
Public domains and forests	39,744,500
Various	30,281,532
	1,161,838,142

We have now, gentlemen, to speak of the extraordinary ways and means rendered necessary by circumstances. We ask you for authority to inscribe upon the great book of the public debt, and to negotiate, an open loan with competition for a sum of rentes necessary to give to the Treasury a capital of 450,000,000f. It will be shown to you that this sum will be absorbed by the public works which are required. The realization of the loan need not, however, be speedy. The Treasury has a reserve of 120,000,000f., and it would not be prudent to incur a payment of interest unnecessarily. We have not, therefore, asked for any credit for the rentes to be created; we merely apply for the power of creating them by royal ordinance, if it should be necessary to do so, subject to the legislative sanction of the Chambers. As to the nature of the rentes, the price, conditions of payment of the loan, &c., it is necessary that you should leave this to the responsible minister. Any conditions that you might impose on this subject would only be a source of embarrassment. Your confidence is an indispensable element of success. We ask you also for a credit of 250,000,000f. in Treasury bonds. If peace should be maintained and confirmed, and everything promises that this will be the case, this resource will permit us to wait for the negotiation of the loan until the public funds shall have reached the price which I think they ought to have. The financial system of a government ought to be the faithful expression of its political system. The Budget which we have presented has been conceived in the spirit of the mandate of peace and conservatism, which we accepted when I and my colleagues undertook the burden of public affairs. We should have refused this mandate, gentlemen, if we had not a strong conviction that the good understanding with the great Powers of Europe might be confirmed and maintained on honourable and safe conditions for our

country. If our confidence be not deceived, a short time and few efforts will suffice to establish a durable equilibrium in our Budgets, and to restore the prosperity of our finances. This, gentlemen, is necessary, in order that France may be placed in a state to maintain her elevated rank among nations."

We subjoin, in a note, an official statement of the assets, credits, debts, and liabilities of the Bank of France, which was published in pursuance of a law passed June 30, 1840.*

At the close of the year, the Abbé de Lammenais was convicted of publishing a seditious pamphlet; and a multitude of Polytechnic students, and others opposed to the Government, paraded the streets with shouts of "Death to the English! Down with Guizot!" And at first it was apprehended, that an attempt would be made to prevent the seizure of the Abbé, and that a serious disturbance might ensue, but nothing of consequence followed, and the Abbé de Lammenais quietly surrendered himself to the officers of justice, who conducted him to prison; his sentence being a year's incarceration and a fine of 2,000 francs.

We mentioned in our last volume, that M. Mauguin, on the discussion of the Eastern Question in the Chamber of Deputies, made a violent speech against England

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* BANK OF

No. 1.—ACCOUNTS OF THE BANK OF FRANCE
No. 2.—AVERAGES OF THE POSITIONS OF THE
No. 3.—OPERATIONS REALIZED IN THE COURSE

No. 1.—ACCOUNTS

	Francs.	Cts.	Francs.	Cts.
1. Specie in hand, including 10,964,567 f. 42 c., of bills due on the 31st of December, to be cashed on the 1st of January				233,223,752 0
2. Discounts and Loans — Bills of exchange discounted	155,876,120	5		
Advances on deposits of ingots and bullion	23,780,100	0		
Advances upon stock	8,380,621	65		
				188,036,841 70
3. Office department — Debtors in account current	10,046,105	80		
Capital of the offices	12,000,000	0		
				22,046,105 80
4. Income, Government Bills, and Reserve — Reserve (law of May 17, 1834) invested in the funds (Rentes)	9,000,000	0		
Investments in Government bills	50,173,736	80		
Building and furniture of the Bank	4,000,000	0		
				63,173,736 80
5. Credits and sundries				279,226 38
				506,759,662 18

No. 2.—AVERAGES OF THE POSITIONS OF THE

	Francs.	Cts.	Francs.	Cts.
1. Averages of the specie in hand (*en caisse*)				234,271,000 0
2. Averages of discounts and loans — Bills of exchange discounted	145,831,500	0		
Advances on deposits of ingots and bullion	25,044,500	0		
Advances on Government bills	8,916,000	0		
				179,792,000 0
3. Averages of the accounts current of the branches				10,339,300 0

and the English alliance, and broadly proposed that France should seek in Russia for that ally, identified with herself in interest and policy, which she had in vain sought for in Great Britain. This suggestion at the time appeared too absurd for serious confutation, but so blinded was a section of the French nation to its true position, and that of Russia, by rancorous hostility towards England, that M. Mauguin soon found warm advocates for his proposition amongst the writers of what may be called the war-party in the press. Some diplomatic notes of a friendly character, which passed at the end of the year between the Russian Ambassador in Paris and M. Guizot, were magnified into an offer, on the part of the Czar, to form an alliance, offensive and defensive, with France, and to separate herself from the other three great Powers, in carrying out the stipulations of the treaty of the 15th of July. But Russia, on this occasion, seems to have done no more than express, in common with the other European Powers, her regret that France should have isolated herself upon the question of the East, and her desire that an amicable understanding should continue to subsist between herself and that country. The truth was, that the war-party in France, at this period, was so embittered against England, that this project of a

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FRANCE.

UP TO DECEMBER 31, 1840.
BANK DURING THE LAST THREE MONTHS.
OF THE LAST THREE MONTHS.

OF THE BANK.

		Francs.	Cts.	Francs.	Cts.
1. Circulation	Notes payable to bearer (not including those of the branches)	240,294,000	0		
	Bills payable to order	1,368,010	40		
				241,662,010	40
2. Accounts Current	Account Current of the Treasury	106,166,623	51		
	Various accounts current	63,607,543	6		
	Receipts payable at sight	7,116,500	0		
				176,830,666	57
3. Capital and Reserves	Capital of the Bank	67,900,000	0		
	Reserve—Law of May 17, 1834	10,000,000	0		
	Fixed, or immoveable Reserve	4,000,000	0		
				81,900,000	0
4. Various Matters	Dividends payable	4,874,774	73		
	Bills of the branches upon the Bank	310,681	45		
	Various accounts	1,181,529	3		
				6,366,985	21
				506,759,662	18

BANK DURING THE LAST THREE MONTHS.

		Francs.	Cts.
1. Average of the circulation	Bills payable to bearer	233,349,000	0
	Bills payable to order	1,510,000	0
		234,859,000	0
2. Average of accounts current	Those of the Treasury	115,784,500	0
	Various	68,258,500	0
	Receipts payable at sight	9,431,000	0
		193,474,000	0

Russian alliance was put forward more to annoy, if possible, Great Britain, than with any idea that it would be carried into effect, or even seriously contemplated.

We stated in our last volume that the Ex-Queen-Regent of Spain, Queen Christina had, after quitting that kingdom, taken refuge in France, and had been received in Paris with the utmost cordiality by the King and other members of the Royal family. It was generally supposed that the relationship which subsisted between her and the family of Louis Philippe, disposed that monarch to espouse her side of the quarrel between herself and General Espartero more warmly than was either prudent or justifiable, and at the sitting of the Chamber of Peers, on the 4th of January, this year,—the order of the day being the discussion on the bill for a credit of 700,000f. in favour of foreign refugees,—M. de Noailles took the opportunity of censuring the policy observed towards Spain, as being calculated to destroy French influence in that country, and throw it into the arms of England. No one, he said, should presume to dictate to Spain, for

No. 3.—OPERATIONS REALIZED IN THE

1. The discounts, advances, and loans have been—

		Francs.	Cts.	Francs.	Cts.
On bills of Exchange		227,565,100	0		
On ingots and bullion	Deposits, 18,519,000f. / Renewal, 36,921,000f.	55,440,000	0		
On Government bills		7,757,900	0		
On Mint orders		7,889,200	0		
				298,652,200	0

2. Accounts of the Receipts and Disbursements of the Accounts Current.

Various.—Receipts*	1,232,653,800	0			
Expenses	1,310,370,000	0			
			2,543,023,800	0	
Of the Treasury.—Receipts	83,526,500	0			
Expenses	108,245,600	0			
			191,772,100	0	

* On the payments effected by bills on the above accounts current, 165,799 bills were received at sight, amounting to 227,317,300f.

RESULT OF THE OPERATIONS OF THE BANK OF

Dr.	Francs.	Cts.
Art. 1. Expenses of management, &c.	473,516	87
2. Discount and interest belonging to the next six months	563,398	53
3. Premiums on gold for the balance of the above account	126,015	75
4. Angoulême Branch	23,286	89
5. Grénoble Branch	21,649	32
Balance of profits	4,727,783	98
	5,985,651	34

Spanish pride would not suffer dictation; but the Government should allow no occasion of exercising a just influence to pass by. It should remember, that as England had separated herself from France, and had undertaken to settle the Egyptian question, she might next do the same as to Spain.

M. Guizot replied: "On a recent occasion I had the honour of stating in this Chamber that it was not the intention of the king's Government to interfere, directly or indirectly, in the affairs of the Peninsula; but, in using that language, I was far from desirous of denying the part which the Government had hitherto acted as regards the political events of Spain. When Spain had assumed a form of government which had the national assent, France eagerly recognised it, and having done so, supported it whenever, by civil war or otherwise it was endangered. France sent to Spain a foreign legion, and entered into treaties; this conduct was conformable to the wishes of Spain and to the interests of France; but beyond this the actions of France did not extend. What I meant by saying that France would not seek to exercise under present cir-

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COURSE OF THE LAST THREE MONTHS.

3. General Cash Account—

	Francs.	Cts.	Francs.	Cts.
Deposits—In specie	100,735,300	0		
In notes	506,474,500	0		
			607,209,800	0
Payments.—In specie	120,696,900	0		
In notes	542,765,500	0		
			663,462,400	0
Transfers			1,732,897,700	0
Total			3,013,569,900	0

Certified,

Count D'ARGOUT, Governor of the Bank.

FRANCE DURING THE LAST SIX MONTHS OF 1840.

	Cr.				Francs.	Cts.
Art. 1.	Discount and interest accruing from the last six months, and belonging to the present six months				551,006	38
2.	Operations of the Bank:—	Francs.		Francs.	Cts.	
	Discount, bills of exchange, amounting to	459,640,057	producing	2,951,480	42	
	Advances on stocks	36,538,400	——	265,778	22	
	Ditto on ingots and bullion ..	117,283,000	——	134,694	50	
	Ditto on Mint orders	15,945,853	——	11,633	39	
	Various profits			33,188	3	
						3,396,724 56
	Totals	629,407,310	——	3,396,724	56	
3.	Operations of the branches:— On bills of exchange, advances on rentes, &c.	103,719,641 net	——	511,752	95	511,752 95
	Totals	733,126,951	——	3,908,477	51	
4.	Arrears of income (*rentes*)					1,476,167 50
						5,935,651 34

Certified,

Count D'ARGOUT, Governor of the Bank of France.

cumstances an active influence in Spain was, that she will respect the freedom of the Government of the Queen, but will not take any part in the internal dissensions of the country. I entreat the Chamber to appreciate the distinction which I draw. If the Government of Queen Isabella 2nd were to be menaced as to its existence, the French Government would not abandon the policy which it has adopted up to the present time; I repeat, however, that as regards the struggles of Ministries and parties, the King's Government will abstain from all intervention. Events, upon which I will not pronounce an opinion, but which I deplore, have brought about the present situation of Spain, but the men who are at the head of affairs there, have given to no person a right to say that they wish to separate themselves from Queen Isabella 2nd. I will add that the present Government of Spain is her government *de facto* and *de jure*. It is recognised by the whole country. There is, at this moment, no civil war, and there is no reason why we should not continue our friendly relations with Spain. If the present Ministry in Spain should really and sincerely endeavour to become a regular Government, in order to efface the remembrance of all that was irregular in its accession to power, why should we not maintain the same policy towards it? The King's Government will support any party anxious to bring Spain within the operation of regular and pacific government. We are not compelled to interfere in her intestine disputes. We are far from wishing to identify ourselves with the present Ministry in Spain, for we have our fears and our scruples, but we are not bound to state them publicly. It is feared that Spain will be delivered up to the influence of our rivals. The same thing was said several months ago. Believe me, however, when I say that political influence does not perish with this or that Cabinet. These changes are only connected with domestic struggles of parties. Let us not attach to these vicissitudes more importance than they deserve. I am free, indeed, to confess that there are in Spain men who are hostile to us, but that was inevitable, for our own dissensions have their ramifications abroad; but French influence is not and will not be lost. The geographical position of Spain prevents this, and we ought not to act as if we were afraid of losing our influence. Our policy is a policy of patience. We give to the Spanish Ministry counsels of wisdom and moderation, but we do nothing to support it against internal parties. If the throne of the Queen should be in danger, we should not hesitate to act in spite of the rival influence which has been talked of. The party which now governs Spain calls itself attached by preference to the alliance with England, as that which preceded it called itself attached by preference to the alliance with France; but is it possible that a country like ours can be without influence over a neighbouring state when all the moderate party are looking anxiously towards us? Gentlemen, the treaty of the quadruple alliance has rendered immense service to Spain, and if analogous circumstances were to arise, France would know how to snatch Spain from any influence not warranted by her geographical position."

The disposition in favour of the Ex-Regent evinced by the conduct of Louis Philippe towards her, had excited considerable uneasiness in Spain, and fears were entertained lest a party might be found in France willing to re-establish her in her former authority by force of arms, and thus occasion the downfall of Espartero, and what was called, the Constitutional party in Spain. In the month of November, of last year (1840), a note was addressed by M. Ferrer, Minister of Foreign Affairs of Spain, to M. Guizot, which was intended as a kind of answer to the manifesto, issued at Marseilles, by Queen Christina, after she had entered the French territory, and an appeal to France not to lend herself to the intrigues of the Ex-Regent and her partisans. After attacking Queen Christina's manifesto, M. Ferrer's note proceeded as follows:—

"The emigrants increased every day by men habituated to domineer over the state by the favour of the Court and the Camarilla; the re-union in France of those men with the Carlists who took refuge in that country after their submission; the intrigues which the absolute courts would add with a view to attack the constitutional system which Spain has given to herself—all these matters considered, impose on the Provisional Regency of Spain the necessity of appealing to the Governments, her allies, to obviate in their outset the disastrous effects which these attempts might otherwise produce; for it would be most imprudent to expose the nation to the chances of a civil war when she has on foot a well-disciplined army of 200,000 veterans, a National Guard of 500,000 citizens, proud of their honour and their independence, and a General-in-chief who merits the national confidence equally with that of the army by his civil and military virtues, and by the services which he has rendered in the last epoch, which Europe admires and cannot help acknowledging.

"With this view the Cabinet of her Catholic Majesty addresses itself to the French Government with full confidence, in order to require the continuation of the friendly relations customary between allied courts, and of the international communications, which, based upon mutual good faith and equity, and excluding all Machiavelism and all acts of disloyalty, are the only means of maintaining an amity worthy of great nations, and calculated to be lasting and profitable.

"The Spanish Government does not presume to expostulate against the sojourn in France of the ex-Regent Donna Maria Christina; it does not insist either on hospitality being denied to Spaniards who seek abroad a temporary asylum. Queen Christina now only represents a fallen power, whose return is impossible. Her person is not a principle, and she cannot, in any case, lay claim to any personal right or prerogative, saving that of Dowager Queen, to secure to herself an existence worthy of her past rank; but the Regency of Spain will ever and loudly protest against all secret or avowed intrigue which might be tolerated or encouraged along the frontiers; for, instead of regarding it as a desire to maintain the good relations required by the law of nations, it would see in such a proceeding a disloyal and hostile conduct, of which it would avenge

itself without delay, no matter who was guilty of it, being well aware that nations only live in the political world by their honour, by their *prestige*, and consideration; and that it is far preferable for them to succumb in an honourable struggle, than tamely submit to shameful conditions which Spaniards at all times have spurned."

But the chief question which occupied the minds of the politicians of Paris at the commencement of the present year, was that of the fortifications of the capital, and the journals were filled with violent articles on the subject. It was well known that Louis Philippe was himself favourable to the project, which was likely to give him, in case of any sudden *émeute*, such an immense advantage, by enabling him to overwhelm an insurrection by the cannon of the iron girdle of fortresses to be drawn round the city, and the resistless number of troops which could be poured into the streets on an emergency at a moment's notice. But it having been by almost all parties decided that Paris was to be fortified, the next and subordinate question, but one which excited the most vehement discussion, was whether it was to be surrounded by one continuous wall, "*enceinte continuée*," or only by a number of detached forts, "*forts detachés*," at a certain fixed distance from the city.

A Committee was appointed to prepare a Report upon the subject, of which M. Thiers was a member; and this adroit and active statesman soon procured himself to be appointed President of and Reporter to the Committee; and thus put himself in the position of being able to present to the Chamber, with the authority of a recommendation from the Committee, his own particular views on the question. In all probability, Ministers in this circumstance were not averse to gratifying M. Thiers, knowing, as they did, that their royal master was nearly as eager for the project as his ex-Minister, who was the original promulgator of the scheme. It was determined to assimilate Paris to a fortress of the third class, and the Committee of the Chamber of Deputies having met in the beginning of January, after a deliberation of four hours, resolved—first, that the *enceinte continuée* and the *forts detachés* should be simultaneously executed; and, second, that the whole of the works should be completed in the course of three years. The Committee, moreover, fixed the sites of the exterior points to be fortified, and decided that detached forts should be constructed on the heights of Romainville, at Noisy, and at Nugent, which command all the roads by which an invading army advancing from the frontiers of the north and east could reach Paris.

On the 9th of January the Committee on the Fortifications had an interview with the Government. The original draught of the Bill brought forward on the subject, provided that the exterior works or forts should be commenced first. The Committee insisted on the *enceinte continuée* and the forts being simultaneously constructed. To this the Cabinet of Marshal Soult assented; and on the other hand, the Committee concurred in the views of Ministers with regard to the time required for the execution of the whole work—extending it from three to five years, lest the ex-

pense should prove too heavy a burden upon the nation. Next week M. Thiers read in the Chamber of Deputies the Report of the Committee, by which it appeared that in deference to the wishes of Government, they had determined to recommend that the detached forts should be placed at a distance from the wall of circumvallation. M. Thiers said in his Report, that the project of fortifying Paris, and the necessity for that measure, were not the result of late circumstances, but dated far back in the history of France, and had been deemed essential by some of her greatest generals. Napoleon, after the battle of Austerlitz, saw the necessity of fortifying the capital, in order to render Continental coalitions abortive. He (M. Thiers), and the Cabinet of which he formed part, viewed this great question in the same light, and thought it the imperative duty of the Government to protect Paris from a repetition of former misfortunes. Paris once fortified and rendered proof against a *coup de main*, or sudden march of an invading army, the effect of coalitions would be considerably lessened, and the system of Continental war modified. Napoleon himself had declared, that had Berlin, Vienna, and Madrid, been sufficiently fortified, the result of the campaign which led to their capture would have been accomplished with far more difficulty. The situation of the political world in former and recent times absolutely required that the capital of this great nation should be placed in a permanent state of defence. This was the principle which actuated the Committee; and it was considered that the stronger Paris was rendered, the greater would be the respect of surrounding nations; and that, if well fortified, Paris would never be attacked. One of the chief difficulties alleged, was the supplying of Paris with fresh meat: but, with the protection of the numerous bastions round the capital, there could always be obtained a sufficient number of cattle to last for sixty days, which was probably the longest period to which a siege could be protracted.

A long discussion, which lasted for several days, followed the reading of this Report, in the course of which the Chamber was addressed by M. Carnot (son of the celebrated Minister of that name under the Republic) who gave explanations respecting his father's opinion on the practicability of effectually fortifying Paris. "Carnot," said he, "always contended for the utility of fortified places as means of defence for the territory, but he apprehended that the tendency of fortifying the capital, on which false and exaggerated hopes might be formed, was to induce neglect of the general defence of the country. He would prefer that Paris be defended only by a fosse and a simple intrenchment, which would protect it from a *coup de main*, to its being fortified in such a way as would enable it to resist to the last extremity."

M. Thiers observed (from his place), that when the proper moment should arrive, he would produce a document written by Carnot, to prove that Paris was susceptible of being put into a state of defence, and that if it had not appeared so to him in 1814, it referred to the actual momentary circumstances of that period. A long debate ensued, in which M. Mounier supported the Bill and

M. Pages (de l'Arriège) opposed it, observing, that "fortifications would only serve to facilitate the transition from one Government to another, when those who had begun by cowardice would end by treason."

Marshal Soult followed, and in a speech of more than two hours' duration, criticised and condemned the plan of an *enceinte continuée*, and recommended that which contemplated only *forts detachés*, yet concluded by supporting the measure before the Chamber, rather than have no defences whatever. He would accept the *enceinte continuée*, because he was not like the man about being married, who refused to embrace a most desirable match because saddled with a double portion. The *enceinte continuée* gave him (Marshal Soult) more than he desired, but that was no reason why he should not take what he had asked for, even though burdened with superfluity "A clever manœuvre of Marshal Massena," continued Marshal Soult, "compelled the Duke of Wellington to fall back on Lisbon. The English army retired upon the fortifications of Torres Vedras, which had been raised by the foresight of its chief. It was not round the city of Lisbon itself that the English General concentrated its defence. He preferred the heights and the defiles of Torres Vedras, and the event justified his calculation. Then, if he (Marshal Soult) might be allowed to speak of himself, he defended Toulouse with 21,000 men against an army of 71,000, not by shutting himself up in the town, but by occupying the heights and intrenching himself in advance of it. On the contrary, Vienna was entered without resistance, after the battle of Ulm, in 1805, although surrounded by an *enceinte continuée* regularly bastioned."

M. Odillon Barrot then moved that the debate be adjourned, as "the matter introduced by the Minister of War was a surprise upon the Committee on the Bill, and rendered a further consideration of it in Committee indispensable."

On the renewal of the debate, M. de Latournelle spoke in favour of the system of the *enceinte continuée*, which was afterwards opposed by M. Janvier. M. Guizot, who followed M. Janvier, supported the Bill, and said that he did not wonder at the perplexity into which it had thrown the Chamber from the fears entertained of the fortifications being made the instrument of a turbulent and warlike policy. If this uneasiness were founded, the Government would assume a great responsibility in bringing it forward, for, like the Chamber, it wished for a pacific and regular policy; and it was because it saw the necessity for protecting the seat of civilization, that the Cabinet had proposed the Fortification Bill. M. Guizot thought the measure a guarantee of peace, and declared that foreign countries were not averse to it as asserted by several speakers. The Government had received from them no communications on the subject. When M. Guizot had concluded, M. Thiers went up to him and complimented him on his discourse.

When the general discussion had closed, M. Thiers, as the Reporter, summed up, and endeavoured to refute the different arguments adduced against the plan recommended by the Committee, by the

opponents of the Bill. He said that the Ministers of the 1st of March had believed in the possibility of a war; "They may be deceived," he said, "but they believed it;" and it was to provide against such a contingency they had deemed it their duty, in the absence of the Chambers, to undertake the fortification of Paris. The Committee appointed to decide on the expediency of granting the supplementary credits for 1840, had, moreover, approved the expenses already made, and of which he and his colleagues assumed the entire responsibility. M. Thiers then contended that all parties concurred in the necessity of placing Paris in a state of defence, and only differed respecting the most efficacious mode of carrying the measure into execution. He repeated all his former arguments in favour of the *enciente continuée*, supported by advanced outworks.

The next day (January 27th) the Chamber of Deputies commenced the discussion of the paragraphs of the Fortification Bill.

The first article on which the debate opened was the following:—"A sum of 140,000,000f. is specially allotted to the works of the fortifications of Paris." M. de Beaumont moved an Amendment, having for its object to reduce the sum to 20,000,000f., which were to be solely employed in erecting works of defence round St. Denis and Charenton. Marshal Sebastiani opposed the Amendment, and declared in favour of the *enceinte continuée*, supported by advanced forts, to the exclusion of every other system. M. Joly seconded the Amendment, which was combated by M. Chabaud Latour, and ultimately rejected by the Chamber.

An Amendment was afterwards moved by General Schneider to the effect that, "A grant of 80,000,000f. is specially voted for the purpose of erecting the fortifications necessary to connect the defence of Paris with the general defence of the nation." This Amendment however, was after considerable discussion negatived. M. Guizot spoke against it. He declared, that after having listened attentively to the long debate which had taken place on General Schneider's Amendment, he remained of the same opinion as he was when he last addressed the Chamber, and was convinced that the fortification to be raised round Paris should be real and efficacious. M. Guizot considered that General Schneider's Amendment did not provide a real and efficacious fortification, he would therefore oppose it. The honourable Deputy then alluded to Marshal Soult, who supported the Bill before the Chamber, whilst he appeared to speak in favour of his own plan of fortification; this, continued M. Guizot, is by no means inconsistent with a constitutional form of Government, and quoted Mr. Canning and Mr. Pitt, who frequently spoke against measures proposed by a Cabinet of which they formed a part.

M. Dufaure rose to support General Schneider's Amendment. He objected to the expense which would be entailed on the nation by adopting the Bill proposed by the Committee, and further stated that from the nature of the soil in the neighbourhood of Paris, it would be found impossible to complete the *enceinte continuée*, because in some places where the bastioned wall was to be built the ground was mined to the depth of

234 yards. In support of his argument M. Dufaure quoted the works of Cuvier, Brougniart, and Dulaune. Neither did the honourable Member consider that the Government plan would have the expected advantage of creating a moral effect amongst foreign nations, "for, were I a foreigner," continued M. Dufaure, "I would say, 'I feared that France would increase her army, and I feared her as a rival on the seas; but when I see France engaged in expending enormous sums of money to build a wall which cannot affect me, I congratulate myself that France is acting for my advantage.'" Here the honourable Member was interrupted by loud cries of "Question."

After a few words from M. Guizot, in explanation, and from M. Odillon Barrot, who stated, amidst much confusion and cries of "Question," that he would reserve his opinion on the simultaneous mode of erecting the fortifications until the debate upon the 3d Article of the Bill,

The President stated, that the secret vote was demanded by 20 Members, in writing. The Chamber was called over, and, on counting the votes on the 1st Article of General Schneider's Amendment, the President declared the result of the ballot to be—

Number of Votes .	411
For the Amendment . . .	175
Against it	236
Majority against the Amendment	61

An Amendment afterwards moved by M. L'Herbette, and modified by Marshal Soult, provided that Paris should not be classed amongst the fortresses of France (and therefore not subject to martial law), but by virtue of a special legislative enactment. This Amendment was adopted; and in the discussion which immediately preceded the final division on the Bill, Marshal Soult frankly declared that the Government would give full effect to the law in every respect; thus accepting, with slight modifications (introduced in the course of the debate), the Report of the Committee. The Chamber then divided, when there appeared,

For the Bill . .	237
Against it . . .	162
Majority. .	75

The *enceinte continuée* was therefore to be carried into execution, and the *forts detachés* were to be erected simultaneously with it. But Marshal Soult reserved to the Government the right of determining how the works were to be constructed, and the points where the forts were to be placed—a privilege which had been strongly opposed by M. Odillon Barrot, as involving the danger that they might be hereafter employed as a means of overawing and injuring the inhabitants of Paris. The Bill passed through the Chamber of Peers on the 1st of April, and was carried by a majority of 147 to 85, after which it immediately received the Royal assent.

On the 18th of January M. Humann, the Minister of Finance, brought forward a Bill, in which he demanded credits to the following extent, and which was divided into the following Articles.

"Art. 1. A sum of 40,000,000f. is appropriated to the completion of the extraordinary works of the service of the Ponts-et-Chaussées,

in augmentation of the sum of 188,296,000f. remaining to be employed in 1842 and following years, and voted by special laws. These appropriations, amounting altogether to 228,269,000f., shall be divided under special heads.

"2. A sum of 254,000,000f., including 92,000,000f., at which the expense of the fortifications of Paris for 1842 and following years is fixed, is appropriated to the extraordinary works of the War Department, for the engineers and artillery, and for barracks and military magazines.

"3. A sum of 52,000,000f. is appropriated to the extraordinary works to be executed by the Department of the Marine, and in the ports and arsenals.

"4. Upon the grants, fixed by the preceding Articles, credits amounting to 75,000,000f. are opened for the expenditure chargeable upon the estimates of 1842, viz.:—

	Francs.
Public Works . .	33,700,000
Ministry of War .	36,300,000
Ministry of Marine . .	5,000,000
Total . .	75,000,000

"5. Refers to the classification of the credits, and the faculty of carrying over the amount not employed to the next Budget.

"6. The expenditure for which these credits are opened, upon the estimates of 1842, up to the amount of 75,000,000f., is to be covered by a sum to that extent on the produce of the loan of 450,000,000f., mentioned under the head of Extraordinary Ways and Means, in the law of Receipts of the estimates of 1842."

The Minister in the course of his *exposé* stated, that of the 254,000,000f. mentioned in article 2, 75,000,000f. were destined for the completion of the defence of the frontiers and the interior of the kingdom, independently of the fortifications of Paris; 75,000,000f. were for barracks and military magazines, and 12,000,000f. for the artillery and powder. He stated, that it was intended to appropriate 75,000,000f. annually for six years, from the year 1842, for extraordinary public works. The expenditure under this head would, he said, be more than 60,000,000f. for 1841. The total amount of the credits now demanded would, he said, be 534,000,000f., which would exceed by 84,000,000f. the amount of the proposed loan. The Ministers had not chosen, he said, to increase the amount of the loan, for it would be improper to draw upon capitalists beyond their means. On this point, he added—"In embracing in our combinations a period of six years, during which an annual sum of 75,000,000f. is to be appropriated to extraordinary public works, we shall give to them a development which they have not hitherto attained, even under the most favourable circumstances. When we shall have exhausted the loan, we must provide for the deficiency; but resources, gentlemen, will not be wanting for this purpose. If the maintenance of the peace of Europe should continue to favour the progress of national wealth, we shall find in the reserve of the sinking fund revenues to cover our deficits, and all the means necessary for persevering in the career of public improvement. Political circumstances have not influenced our determinations as to extraordinary works, otherwise than by inducing

us to take into consideration the necessary precautions which sooner or later, in the present situation of Europe, France must have adopted. It is not without profound regret, however, gentlemen, that in order to provide for the War Department we have been compelled to diminish by one-half the amount of grants to the Ponts et Chaussées, and to resign ourselves not to undertake any new enterprise before the year 1848. The emulation of nations advanced in civilisation directs itself only in the present day to the conquests of peace, and we must deplore the still imperfect state of international relations which compels them to consume in sterile expenditure the capital demanded for reproductive employment. We should be happy, for our part, to see the resources of France exclusively applied to those fruitful ameliorations which, in augmenting the revenues of the soil, amply compensate the Treasury for temporary sacrifices. But we must before all things provide for the security and independence of the country. The desire of developing, for the good of our country, the advantages which flow from peace, has not prevented us from providing for the defence of the country. The measures adopted, however, are of a nature to prevent dangers, which in the event of need they would tend efficaciously to remove. Such was our conviction in adopting them. Public confidence, gentlemen, will equal our own, and prove again, that in order to guide France prudently and successfully in the path of her great destiny, her governors should, above all, have faith in her good fortune."

M. Humann then read a very long and detailed *exposé* of the different branches to which it was intended to appropriate the credit for the War Department.

Early this year a great sensation was produced in Paris by the publication in the journal *La France* of some fragments of letters attributed by that paper to the King Louis Philippe, the originals of which were said to be in the hands of M. de Larochejaquelin. The whole of these were a most disgraceful forgery, the object of which was to bring the King into contempt, and the great majority of the Opposition journals showed a discreditable avidity in giving circulation to the falsehoods with invidious comments upon the portions which they published. The first letter was said to contain a promise to abandon Algiers in the following words. "As to the occupation of Algiers I have most powerful reasons for faithfully fulfilling the engagements which my family made with Great Britain. Under those circumstances I trust that his Majesty's Government will allow me to choose my own time and measures." The second letter referred to the insurrection in Poland thus "The cabinet of St. Petersburgh ought to thank us and not the conqueror of Warsaw for having crushed this centre of incessant rebellion." The third hinted that the fortifications round Paris would be used to subjugate the citizens, and declared that the King was determined to subdue the press, his "most dangerous enemy." In consequence of this the *France*, the *Gazette de France*, the *Quotidienne*, the *Echo Français*, the *National*, and the *Commerce*, were seized by the police, and the Editors of those journals respectively had notice given them that they would be prosecuted for forgery, and for

an offence against the King's person.

In our last volume* we gave an account of the attempt of a man named Darmes to assassinate Louis Philippe, and mentioned that he was convicted of the crime. Sentence was passed upon him at the end of May in this year and he was ordered to be conducted to the place of execution, and punished as a parricide with bare feet, in his shirt, and with a black veil over his head. He was then to be guillotined. This sentence he underwent on the 31st of May.

The state of the French finances and the large demands upon the public purse in consequence of the war-cry which had been raised last year, and the necessity of increasing the naval and military establishments, had caused the taxation to fall heavily upon the people, and some serious disturbances arose in various parts of France. The most formidable was at Toulouse, where an unpopular Prefect exasperated the people and an alarming *émeute* took place. This happened in the month of July, and the following account of it is taken from the *Moniteur*.

"On Monday, the 12th, in the afternoon, a great number of workmen quitted work and forced their comrades to imitate them. They went in a body to the Porte St. Etienne, and there seized in private houses pieces of wood and other materials for a barricade. Whilst the barricades were forming, some went to the Veterinary School, to get the students to join them. The latter refused; and one of the rioters being sent to warn the authorities, was obliged to turn back, under penalty of being thrown into the canal. Ten barricades were made, and towards half-past four the rioters marched to the Prefecture. They were repulsed; and seeing the number of troops, fell back behind the barricades. The rioters then got upon the roofs of the square, in which the Prefecture is, and flung the tiles on the soldiers below. The General (Saint Michel) was struck by a stone on the thigh. Another General had his horse wounded. Stones and tiles rained on the soldiers. One of the mob called Charvades, was bayoneted and died. While the riot on the 12th was going on, the Provisional Municipality, accompanied by officers of the National Guard, went to the Prefect and requested him to call out the National Guard. The Prefect (M. Mahul) thought himself bound to give his consent. At nightfall the National Guard assembled on the Place du Capitole, occupied that post, and joined the troops of the line in protecting the Prefecture. The rioters then demanded the release of the prisoners who had been arrested on the preceding days. The detachment of the National Guards stationed at the prison was forced, the door was attempted to be broken open, and one of the panels had given way, when the Provisional Mayor promised to release the prisoners on the following day under bail. On the 13th, assemblages more threatening than before invaded the streets at an early hour. Fresh barricades were raised, and the telegraphs of Toulouse and Blagnac were pulled down. Then it was that the Prefect decided upon

* Vol. 82, p. 177. It is there stated that his sentence was commuted into confinement for life—and at the time when that account was written it was generally believed that the capital punishment would not be carried into effect.

leaving the town, and took his departure in a carriage prepared for him by the Provisional Municipality. On the same day, a band of rioters twice forced their way into the house of the Procureur du Roi, whom they sought with the intention of murdering him; but who, both times, happened to be from home. The post of the National Guards, stationed at the House, made no endeavours to prevent this. The persons who had been arrested were set at liberty."

The spirit of hostility towards the tax-gatherer showed itself in other places—although it did not break out into such extreme violence. At Metz, Baron Dufour, the Mayor, caused a notice to be placarded in the town, stating that "M. Humann's circular is a violation of the laws of the 4th Frumaire, of the year 7, of the 4th Germinal, of the year 11, and of the 21st of April, 1832." The Municipal Council of Auxerre held a meeting and refused to accompany the fiscal agents in their domiciliary visits,—and in other towns the Municipal Councils, in like manner, refused any assistance to the Surveyors of Taxes. Lyons, Marseilles, Bordeaux, Poictiers, Tonnerre, and many other places protested against the taxation survey; and in the month of August when the attempt to complete it at Toulouse was again made, it was only effected by an imposing display of military forces and artillery. Subsequently at Lyons a riot broke out from the same cause, which was quelled by troops of the line, and discharges of grape in the streets. Such was the price which the French had to pay for their wounded vanity—which led them to allow the King's Government to put all the establishments upon a war-footing, and incur an enormous outlay in fortifying Paris, simply because they fancied that France had been insulted, because she was made no party to the treaty of the 15th of July. But notwithstanding all this opposition of popular feeling to the burden of new taxes, the naval and military preparations proceeded with unabated vigour, and in all the dockyards of France ships were being built and commissioned as though the outbreak of immediate war was apprehended.

In the month of August the statue of Napoleon was placed on the top of the column of the Grand Armée at Boulogne, amidst great festivities and rejoicing.

The same uneasy feeling which had shown itself throughout the provinces appeared also in Paris, and in the month of August and October large assemblages of men collected at different times in the Faubourgs and streets, and a great deal of rioting took place—but this was suppressed by the Municipal Guard without the necessity of calling out the troops of the line or National Guard. But the state of the public mind seemed to be to a great extent diseased; and an event about this time occurred, which has, unhappily for the fair fame of France, been too common of late years to excite that surprise and wonder which its atrocity would otherwise have awakened in the mind of civilised Europe. We allude to the attempt made in the month of October to assassinate the Duke d'Aumale, the fourth son of Louis Philippe, on his return, at the head of his troops, from his campaign in Africa.

On the 13th of October, the 17th regiment of Light Infantry, with its Colonel, the Duke d'Aum-

ale, was expected in Paris, having marched through France from the south after landing from Algiers. At noon the column entered Paris by the gate of Vincennes with the Duke d'Aumale at its head, and a little behind him two of his brothers, the Duke d'Orleans and the Duke de Nemours. Just as they reached the Hospice de St. Antoine a man suddenly presented himself holding two pistols, which he snapped at the Duke d'Aumale (or according to another account at the Duke d'Orleans, the heir to the throne) but only one of them went off. Providentially the villain missed his aim, but Lieut.-Colonel Levaillant of the 17th was slightly wounded in the knee, and his horse was so much injured that it died. The soldiers of the 17th immediately lowered their muskets, and were about to charge the mob; but the Duke of Orleans rushed to the front and prevented it, ordering the soldiers to ground their arms. The people ran back, bearing the assassin with them; but one of them seized him by the hair and prevented his escape. He was dressed in a frock coat, covered with a short blouse called a *bourgeron*—for the purpose probably of concealing his weapons. He was immediately taken to the Conciergerie, where he was examined.

The moment the escape of the Princes was ascertained, the people testified their joy by loud shouts of "*Vive le Roi! Vivent les Princes!*" The Duke of Aumale turned to the Duke of Orleans, smiling, and observed, "It appears that I begin to be reckoned of some consequence, since they wish to kill me." The troops, after a short delay, proceeded to the Rue de Richelieu; where the march was stopped for some time. At two, the King, accompanied by the King of the Belgians, the Duke of Saxe Cobourg, the Duke of Montpensier, Marshal Soult, and a numerous staff, all on horseback, awaited the arrival of the young Dukes and the 17th in the Court of the Tuileries. The Queen, the Queen of the Belgians, the Duchess of Nemours, the Princess Adelaide, and the Princess Clementine, were placed under the Pavilion de l'Horloge. The gates of the Place du Carrousel opened, and the Duke of Aumale entered on an Arabian horse, followed by some officers. The father and son embraced; and the King thanked the Prince for his valiant services in Africa. He then addressed some of the other officers in obliging terms, and gave Colonel Levaillant one of the finest horses in his stables. Soon after the regiment entered the Court, formed in order of battle, and was reviewed by the King in person. At four o'clock it resumed the march for Neuilly, to be present at the banquet given to its Colonel by the King and Queen.

The name of the assassin turned out to be François Quénisset. He was a sawyer by trade, and a native of Sellis, in the East of France. He had been in prison before, and was well known to the police as a man of abandoned character. It appeared that he belonged to a political sect embodied in a secret society, called "*Travailleurs Egalitaires*," or "*Communistes*," and shortly after he had been seized he accused many as accomplices in his crime. A Court of Peers was convened in November to try him and his guilty associates, when the report of the commission appointed to make the preliminary investigation was first read. The list of

the accused contained seventeen names, amongst which was that of Auguste Dupoty, Editor of a democratic newspaper called the *Journal du Peuple*. The rest were chiefly operatives, such as sawyers and cabinet-makers. The following account is taken from the "Report" somewhat abridged, and will be read with interest as showing the under-current which is flowing beneath the surface of Parisian society—and the anarchial principles which are in France extensively spreading amongst the lower orders of the people there. The narrative is worthy of the days of the Reign of Terror.

"Quénisset," says the report, "belongs to the honest family of the Jura. Though violent at times when young, his habits were generally tranquil and orderly. He enlisted in the Fifteenth Regiment of Infantry; but being guilty of insubordination towards his corporal, he was condemned to five years' imprisonment with the *boulet*. He escaped at the end of two years, took the name of Papart, and came to Paris. He became connected with a woman named Leplatre, and had a child by her. He was subsequently confined in the Madelonnettes. Here he found a feud raging between the thieves of the prison and the Republican prisoners, who seem to have been at a disadvantage. Quénisset took the part of a Republican; and this man, Mathieu, affected to take a great interest in him, and promised him a place of five thousand francs a year when the Republican party should triumph. From this prison he was removed to that of St. Pélagie; and during the two months of his detention there he was constantly worked upon by the Republicans, in order that he might be "moulded into a man of action." On leaving prison he returned to work—

"He hoped to get a certificate from the Mayor of his parish, attesting the age and sufferings of his parents, thereon to found an exemption from military service. Failing in this, he became irritated, and met his old prison comrades, Frioul and Boggio, a locksmith, both members of the society of "*Travailleurs Egalitaires*," operatives, friends of equality. Colombier received at his wine-shop the Communists and the men of their clubs. Popular and democratic journals were read there. [The *National*, the *Journal du Peuple*, the *Populaire*, and the *Commerce*.] Here were initiated the new adepts of societies, engaged to destroy King and Government. Quénisset, with Boucheron, another sawyer, was presented there by Boggio in the first days of August, admitted a member after listening to a revolutionary speech, and took the oath. From that day till the 13th September, Quénisset went every day to Colombier's wine-shop. * * * On Monday the 13th, Quénisset went at five in the morning to the Grève to look for work and found none. He met Boggio on his return; who told him that a movement was in preparation. They went to Colombier's, and found a dozen people discussing whether they should stir or remain tranquil: several of them had cartouches, which had been distributed by a certain Fremont, *alias* Dufour. Quénisset received two cartouches. And afterwards Brazier or Just, one of the members of the society, brought Quénisset home with him, and gave him two pistols, which they charged. Re-

turning to the Rue St. Antoine, Quénisset met his comrade Boucheron, and gave him one of the pistols. They also met Boggio. And Quénisset being by this time worked up to a state of exaltation, fired at the Prince as the cortège came up."

Quénisset and two others were sentenced to death, but it was understood that there lives would be spared.

M. Dupoty, the editor of the *Journal du Peuple*, was also found guilty by a majority of 133 to 22 votes. He was convicted as a kind of accessary before the fact, in consequence of the tendency of the articles which appeared in his paper. This alarmed the whole body of the press, and a meeting was summoned of the principal editors and political writers to adopt certain resolutions relative to M. Dupoty's condemnation. The result we shall give in our next volume.

However much our French neighbours may talk of liberty and freedom of thought, it is certain that the Government in France keeps an eye of jealous watchfulness over the press, very different from that to which we are accustomed in this country; the consequence is, that the crown there is too frequently committed in an undignified squabble with the newspapers, and where the attempt at a conviction fails, the process recoils against Ministers, or rather against the Sovereign himself, and does much harm to the cause of monarchy in France. This year was distinguished by several of these dangerous trials of strength between Louis Philippe and the press. In the month of December, last year, the *National* published an article, contrasting the state of France in 1830 with her position in 1840, and accusing the leading statesmen of wasting their strength and time in paltry and disgraceful quarrels:—

"What are these quarrels to us?" said the *National:* "What is it to France, betrayed, degraded, and ruined as she is, to hear around her the squabbles of imbeciles and traitors, blockheads and felons, and to see in all this clamour but weakness or complicity? Yes, ye have all been accomplices. But the chief criminal (*coupable*) —oh, we know well what he is, and who he is. France knows also who he is, and posterity will announce it. And ye, ye are his accomplices."

This passage could only point against the King, and in the month of September, of the present year, the Advocate-general commenced a criminal process against the editor M. Marie, the counsel for the accused, did not deny, that the King was the object of attack, but justified the truth of the charge by quoting the speeches of M. Thiers and others, and articles from the moderate Constitutional journals of the last years, all attributing the humbled condition of France to the influence of the King on the Councils of his Ministers. The jury returned a verdict of acquittal, whereupon, next day, the *National* published a boastful avowal of its former accusation in a tone of contemptuous triumph, saying:

"The Advocate-general *easily demonstrated that we were guilty* of the double crime imputed to us, and argued as if our advocate would try to screen us by some subterfuge. But this did not suit the character either of our advocate or of our journal. Our idea

was evident. It was the King we meant—our readers could not mistake it. To deny it would have been to insult the good sense of the jury. We disdained a lie. It was the King we aimed at, and the circumstances in which we were placed gave us the right to do so, and justified our attack. Such was the thesis that M. Marie developed. The jury, in ten minutes, acquitted us on every point."

For this renewal of the libel the *National* was again immediately seized, as a preliminary to a fresh prosecution, being the sixth which had been instituted against it within a few days.

On the 20th of December a treaty was signed in London, between France, Austria, Prussia, Russia, and Great Britain, whereby the former powers agreed to adopt the English laws relating to the slave-trade. By these laws this trade is declared to be piracy, and all who engage in it, or embark capital towards carrying it on, are guilty of felony. The five Powers mutually conceded to each other the right of search in the case of all vessels bearing their respective flags. This question of the right of search led to difficulty and embarrassment in our relations with America, and the treaty was canvassed with much acrimony and ill-feeling towards England in the French Chambers, at the commencement of the following year (1842); but these matters will be detailed in our succeeding volume.

A voluminous document was this year published by the Administration of Customs in France on the external commerce of that country. From an analytical summary in the volume we extract the passages which have the most general bearing. The first extract is a general view of the advance of commerce. The value is stated in francs:—

"The external commerce of France has progressively increased during the year 1840. The total value of the various articles of which it consists has risen to the sum of 2,063,000,000f.: this is the highest amount that it has ever reached. Of the two items which constitute this total, viz. the importations and the exportations, the first is the one in which the increase has chiefly occurred. At no former period did the value of the imports ever amount to a milliard (1,000,000,000f.); they have now exceeded the latter sum by 52,000,000f.

"The general export commerce (1,011,000,000f.) has only exceeded by 8,000,000f. (equal to one per cent.) the extent of the same commerce during the year 1839; but, on comparing it with the average resulting from the combination of the five preceding years, an increase of twelve per cent, will be discovered.

"The special commerce (that is to say, the commerce which includes on the one hand the foreign productions which France imports for her own consumption, and on the other those arising from her own soil or her manufacturing industry, which she sends abroad) includes in the sum total of 2,063,000,000f. a value of 1,442,000,000f; viz. importations 747,000,000f., and exports 695,000,000f. The increase of the special commerce has equally occurred, as in the case of the general commerce, in the value of the imports and in that of the exports, especially in the former. A comparison with the year 1839 and the average of the last five years,

shows an increase in favour of 1840, viz. of fifteen and twenty-six per cent. in the importations, and of three and fourteen per cent. in the exportations."

* * * * *

The distribution of commerce by land and sea—

"Considered in relation to the distinction existing between the sea and land commerce, the total amount of the commercial investment is divided as follows:

Sea commerce	1,481,000,000,	= 71·8 per cent.
Land commerce . . .	582,000,000,	= 28·2 per cent.

"The value of the articles of which the land commerce and the united imports and exports consist, was distributed between the various countries of importation and exportation in the following proportions:

Switzerland	161,000,000	or 27 per cent.
Belgium	125,000,000	or 22 ——
Sardinian States	105,000,000	or 18 ——
Germany	98,000,000	or 17 ——
Spain	72,000,000	or 12 ——
Prussia	18,000,000	or 3 ——
Netherlands	3,000,000	or 1 ——
Total	582,000,000	100

"The value of the entire sea commerce was distributed in 1840 among the countries of Europe, those not in Europe, the French Colonies, and the great fisheries, in the following manner:

Countries in Europe . . .	757,000,000	or 51 per cent.
Countries out of Europe . .	582,000,000	or 39 ——
Colonies and fisheries . . .	142,000,000	or 10 ——
Total	1,481,000,000	100

The state of the import-trade—

"With respect to importation, the United States take the first place in the general commerce, which in 1839 was occupied by the Sardinian States. The former power is set down for 176,000,000f., or seventeen per cent., in the sum total of the importations, and for 118,000,000f., or sixteen per cent. in the value of the produce admitted for consumption. Compared with the year 1839, and with the average, the year 1840 shows, as regards the products imported from the United States, an increase of seventy-seven and sixty per cent. in the general, and of thirty-seven and eighty-eight per cent. in the special commerce. (This increase principally occurred in cotton-wool.) The value of the merchandise imported from England, which was in 1835 61,000,000f. as regards the general, and 32,000,000f. as regards the special, commerce, has, under this two-fold head, progressively increased each year, and rose in 1840 to 110,000,000f. and 74,000,000f. This is, in six years, an increase of 80 and 131 per cent. The importations from Belgium have been greater than those of the preceding

year, without at the same time attaining the same amount as in 1838. Previously to 1835 that power had never contributed to our internal consumption more than 60,000,000f. per annum. Since that period this amount has increased on an average to 71,000,000f. In 1840 it rose to 76,000,000f.*

After the above three powers, follow, according to the relative importance of the amount of goods, &c. sent by them to us, the Sardinian States, Switzerland, Spain, and Russia.

"These amounts, which in 1835 were as follows, viz.—

Sardinian States	99,000,000	and	67,000,000
Switzerland	59,000,000	—	14,000,000
Spain	39,000,000	—	26,000,000
Russia	21,000,000	—	17,000,000

rose in 1840 to the following amounts, viz.—

Sardinian States	108,000,000	and	73,000,000	. .	9
Switzerland . .	70,000,000	—	21,000,000	. .	19 and 50
Spain	43,000,000	—	34,000,000	. .	10 — 31
Russia . . .	34,000,000	—	31,000,000	. .	62 — 82

"Our importation commerce with Germany has not made the same progress. The value of the goods, &c. of which it consisted was in 1835, 57,000,000f.; and only amounted in 1840 to 54,000,000f. being a lower sum than that of the average of the five years preceding. At the same time it must be observed, that, in comparison with the year 1839, our importations from that country have presented an increase, as much in the general as in the special commerce. The case has been otherwise as regards Turkey, Norway, the Dutch Indies, Chili, the French colonies, Algiers, and the French factories in India. The value of the merchandise which we have received from each of the above countries has not reached so high an amount as in 1839. An increase has taken place, on the contrary, in the amount of the imports from the English Indies, the Two Sicilies, the Hanseatic Towns, Tuscany, Austria, Brazil, Mexico, Hayti, Cuba, the Barbary States, Denmark, and Egypt."

Exports—

"As regards exportations, a sensible decrease has occurred in our commerce with the United States. Instead of 204,000,000f., the amount of the articles of every description exported in 1839 to that country, we only sent out 136,000,000f. in 1840. This is a difference of at least thirty-three per cent., and the decrease has not only affected the general but also the special commerce, and in the same proportion. Notwithstanding the exports to England have risen to the sum total of 160,000,000f., (of which 105,000,000f. consist of our internal produce, both agricultural and manufacturing,) they have not reached so high an amount as in 1839; the decrease, however, is not of much importance, not having exceeded as regards the general commerce one per cent., nor as regards the special two per cent.

* The average annual importations from Belgium into France, from the years 1831 to 1840 inclusive, amounted to about 62,000,000f. (special commerce.)

Out of 51,000,000f. value sent by us into Belgium, 45,000,000f. consisted of the products of our soil and our manufacturing industry; being the same amount as that of 1838, and 6,000,000f. more than that of 1839. Spain has afforded to our special exportation commerce a market for 79,000,000f. There has been for several years past a firm increase in our exports to that country. Those to Algiers are also increasing; they have risen to 22,000,000f., treble the amount to which they reached in 1835. Among the other countries mentioned, those with which our exportation commerce has sustained the greatest increase are—the Sardinian States, Germany, Brazil, Russia, Chili, and Mexico. A decrease equally considerable may be observed, on the contrary, in the export of our produce into Egypt, Turkey, India, the coasts of Africa, and Switzerland."

From an enumeration of some of the chief articles of import and export, we select those which will most interest the English reader—

"Cotton-wools are reckoned at 151,000,000f. (fourteen per cent.) in the total value of the goods imported; and out of these, 151,000,000f., 94,000,000f. were entered for internal consumption. In comparison with 1835, these sums show a surplus difference of sixty-seven and thirty-two per cent. There has been a decrease in the arrival of sugars from our colonies, but an increase in the amount cleared; the surplus difference is nine per cent. From 1835 to 1838, the value of the foreign grain entered for home consumption did not exceed on the average 4,000,000f. a year; it rose in 1839 to 25,000,000f., and in 1840 to 47,000,000f. Wools in general, the importation of which gave way in 1839, have sustained a further decrease as regards the special commerce. The amount of the imports of spun-yarn and hemp, which scarcely reached 10,000,000f. in 1835, has risen from year to year to nearly 28,000,000f. No sensible variation has taken place in the importations of bar-iron and rough cast-iron; there appears in the amounts relating to the latter article a tendency to decrease. Those of coal have progressively increased since 1835. The year 1840 presents the largest amount of the whole period (18,000,000f.); that of 1835 was only 12,000,000f. The value of the cattle imported, which increased from 7,000,000f. in 1835 to 9,000,000f. in 1839, was only 8,000,000f. in 1840.

"Our exports of cotton and woollen webs are progressing, but the former in a larger proportion than the latter. On comparing, in this particular, the two extreme years of the period between 1835 and 1840, there will be found in favour of the last year, an increase of seventy-four per cent. in favour of the cotton, and sixty-one per cent. in favour of the woollen webs.

"The export of our wines has been more considerable than in 1839, and less so than in 1838. It has varied but little during the last six years. The same with brandies; which show, in comparison with 1839, and with the mean year, an increase of thirty-one and eight per cent. in favour of the exportations of the year 1840."

CHAPTER XI.

SPAIN.—*Quarrel between Spain and Portugal relative to the Navigation of the Douro—Convention made in* 1835 *for the free Navigation of that River—Preparations for War in the two Countries—Settlement of the Question—Expulsion of the Papal Nuncio from Spain—Sitting of the Cortes—Espartero proclaimed sole Regent of Spain—New Cabinet formed by him—Speech of the President of the Council, and Policy of the Government—Question of the Guardianship of the Queen—Senor Arguelles appointed Guardian—Manifesto of the Queen-Mother, and reply of the Spanish Government—Insurrection in behalf of the Queen-Mother at Pampeluna and Vittoria—Proclamation issued by Don Manuel Montes de Oca—Desperate attempt to seize the person of the Queen at night in the Palace at Madrid—Trial and Execution of Don Diego Leon—Energetic Measures of Espartero—Suppression of the Insurrection—Question of participation of the Queen-Mother in the affair—Correspondence in Paris between her and Senor Olozaga on the subject—Suspension of the payment of her Pension by Espartero—Suppression of the* fueros.—PORTUGAL.—*Change of Ministry, and List of the New Appointments.*

WE mentioned in our preceding volume, that towards the end of last year a quarrel had arisen between Spain and Portugal, with respect to the question of the free navigation of the Douro. A short account of the origin and nature of this dispute we now give. In the year 1835 a Convention (a translation of which, at length, we subjoin in a note,*) was concluded between Spain and

* CONVENTION FOR THE FREE NAVIGATION OF THE DOURO.

Their Majesties the Most Faithful Queen Donna Maria Segunda and the Queen Regent of Spain, during the minority of her daughter Donna Isabel Segunda, desiring to give all possible extension to the reciprocal commerce between the two states by the free navigation of the rivers common to both, and recognizing that this advantageous principle is applicable to the Rio Douro, have determined to conclude a convention for the regulation of that important object, and have appointed as plenipotentiaries, &c. &c. &c.; which plenipotentiaries, after conferring together, and exchanging their full powers, have agreed upon the following articles:—

"Article 1. The navigation of the river Douro is declared free to the subjects of both Crowns, without any restriction or special condition more favourable to the one than the other, throughout the whole extent in which it may now be navigable, or may hereafter be navigable.

"2. The two high contracting parties engage by the present article to keep the navigation of the Douro uninter-

Portugal, the object of which was to apply to the river Douro the principle which establishes the free navigation of rivers traversing different states. At that time the constitutional charter was the political code of Portugal, in virtue of which the Government was authorized to make treaties without the acquiescence of the Legislature; the execution, however, of that Convention by one of its articles remained subject to the regulations to be settled by a mixed commission of Portuguese and Spanish members. That commission not having concluded those regulations, another commission was appointed, which, in fact, brought them to a conclusion. These regulations containing a certain tariff, and some penalties against those who should contravene its dispositions, were, according to the constitution, to be subjected to the approval of the Legislature, whose principal prerogative is the imposition of tributes, and whose principal occupation is to give penal sanction to the laws.

This tariff and the regulations annexed to it were submitted, in June last year, by the mixed commission to the Portuguese Cortes, in a note drawn up in the following terms:—

"Senhores,—The Convention of the 31st of August, 1835, on the navigation of the river Douro, having been concluded and ratified, a mixed commission of Portuguese and Spaniards was appointed to frame, in conformity with what is

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rupted, and in the state in which it now is, each in the respective part of its territory; and they moreover promise to endeavour efficaciously to improve, in every possible manner, the said navigation.

"3. The duties for the navigation and its system of police shall be determined by means of a tariff and regulation, the terms of which shall be uniform and perfectly equal with respect to the subjects of both Crowns, in conformity with the practice established between nations enjoying the use of the waters of the same river.

"4. To form the tariff and regulation mentioned in the preceding article there will be created a mixed commission composed of four commissioners, two of whom must be Portuguese and two Spaniards, appointed by their respective Governments.

"5. The said mixed commission will assemble within the term of one month at the latest after exchange of the ratifications of the present Convention, in that point of the territory of her Most Faithful Majesty or of her Catholic Majesty, which in the judgment of the two Governments may appear most convenient for facilitating their labours.

"6. Neither of the respective Governments can augment the navigation duties fixed by the tariffs of the mixed commission, except by common accord, on the same being judged convenient; nor can either impose, under any other denomination whatsoever, any new duty to be borne by the navigators.

"7. The two high contracting parties engage by the present article not to concede any exclusive privilege for conveyance by the Douro of merchandise or persons, and to leave the same always open to competition.

"8. Her Most Faithful Majesty engages to take the necessary measures to establish in the city of Oporto a place of deposit for all the produce and merchandise brought from Spain and destined for foreign trade, or for being introduced into the coast of the Spanish peninsula. The merchandise thus deposited shall pay to the Government of her Most Faithful Majesty only the same low duty of deposit which is now payable in the free ports of Lisbon and Oporto. Nevertheless, if it should be for the convenience of the commerce to introduce into Portugal any of the said deposited articles of merchandise, the admission and sale of which may be lawful, the same shall pay the custom-house duties payable by the most favoured nation, and in this case the deposit duty will not be exacted.

stipulated in article 4 of the said Convention, the regulation necessary for the execution thereof. The regulation then framed being disapproved by the Government of her Majesty, it was necessary to accede to the urgent applications of the Spanish Government to proceed to the framing of a new regulation, which was on the part of the Portuguese Government committed to the charge of Portuguese commissioners of acknowledged capacity and patriotism.

"These commissioners concurred with the Spanish commissioners in the regulation which I have the honour to present to this Chamber. Important alterations from the first have been made in it, and the introduction of Spanish produce is restricted for the purpose of protecting our industry and our wine trade.

"But as this regulation contains provisions which, in virtue of the constitution of the monarchy, require the approbation of the Cortes, it is my duty to submit the following proposition to the Chamber:—

"'The Government is authorized to carry into execution the articles comprehended in titles 5 and 7, and in the respective tables of the regulation of the 28th of May, 1840, which is to form part of the Convention signed on the 31st of August, 1835, with the Spanish Government, for the free navigation of the Douro.

"'RODRIGO DA FONSECA MAGALHAES.

"'Office of the Secretary of State for Foreign Affairs, June 30, 1840.'"

"9. Her Catholic Majesty engages, by the present article, to declare port of admission or port of shipment that port which will now have to be provided in the environs of Fregenoda; and the articles of lawful commerce introduced into that port from Portugal shall be subject to the same duties as are paid in the other ports of Spain.

"10. As to what concerns the custom duties, the mode of collection, the administrative and security regulations for preventing frauds against the fiscal laws, each of the two respective Governments will proceed with regard to the said points in conformity with their natural independence, according to the method and form best suited to their interests.

"11. The tariff and regulation to which articles 3 and 4 refer shall, as soon as they may be approved by both contracting parties, be understood to form an integral part of the present Convention.

"12. The present Convention may be revised and modified on the requisition of either of the two contracting parties, after the lapse of twenty-one years from the date of the ratification.

"13. The ratifications shall be exchanged within the period of one month, or as soon as possible.

"In faith of which the respective Plenipotentiaries sign and seal the same with the seal of their arms, in Lisbon, August 31, 1835.

"DUKE OF PALMELLA.

"EVARISTO PERES DE CASTRO."

RATIFICATION.

"Donna Maria," &c. (Here follows the preamble as before, and a copy of the treaty.)

"The said Convention, the tenour of which is as above recited, being presented to me, and all therein contained having been well reviewed, considered, and examined by me, after having heard the Council of State, I ratify and confirm it in all its parts, and by these presents give it for firm and valid, in order that it may yield and produce its due effect, promising on faith and Royal word to observe the same, to execute and cause it to be executed and observed in every possible manner. In testimony and confirmation of the aforesaid, I cause to pass the present deed as by me signed, passed with the appended seal of the Royal arms, and reported by the undersigned Counsellor of State, Minister and Secretary of State.

"Given in the Palace of the Necessidades, Sept. 20, 1835.

"THE QUEEN.

"MARQUESS DE SALDANHA."

The agricultural interest, however, in Portugal, was strongly opposed to these regulations, as injurious to the country; and the Ministry not daring to offend so powerful a body, debated the matter amongst themselves for three weeks, until it became impossible to hold assembled, for a longer period, the Cortes, which had already been sitting for six months previously. The Government, therefore, was compelled to prorogue the Chambers, and promised to occupy them with the question of the navigation of the Douro, in the following session—that of the present year.

This procrastination, however, gave umbrage to the Spanish Government; and in the month of December a courier extraordinary arrived at Lisbon from Madrid, with despatches from the Marquess de Saldanha, Portuguese Plenipotentiary at the latter court, stating that the Spanish Regency had intimated to him its determination to enforce the protracted treaty for the free navigation of the river Douro *vi et armis*, if the same were not fully and unconditionally complied with within twenty-five days, to effect which an army of 12,000 men was in readiness to march on Badajoz and the southern frontier. A Cabinet Council was immediately assembled, when it came to the resolution to claim the interference of England, upon the grounds of the *casus fœderis*, and the Espoir brig of war was privately ordered off to England by Lord Howard de Walden with the result on the following day.

For some time it appeared likely that open hostilities would commence, and active preparations for the invasion of Portugal were made by the Spanish Government. Happily, however, evil results were prevented by the assembling of the Portuguese Cortes in the beginning of the present year; which, after an ineffectual resistance on the part of the Opposition members, who absented themselves at last from the Chamber of Deputies, approved of finally the several articles of the Convention, and passed a measure necessary to give effect to the regulations on the 16th of January, thus satisfying the wishes of Spain with regard to the navigation of the Douro.

Early this year, Espartero gave a proof of the little estimation in which he held the priesthood in Spain, by expelling from that country the Papal Nuncio, S. Perez de Arellano, who, though never formally accredited in that capacity, had been recognised by the Queen's Government. On the 29th of December last year, the Duke of Victory addressed an order for his expulsion to M. Ferrer, the Minister of Foreign Affairs, and thereby revoked the powers which had been granted to S. Arellano by a Royal Act, ordered the closing of the Nuncio's office, the suppression of the Tribunal de la Rota, and the sequestration of its papers, archives, and effects, and of the ecclesiastical revenues and allowances granted to S. Arellano by the State; but required that his private property should be respected.

The Cortes held a sitting in April, of which M. Arguelles was President. The Minister for Foreign Affairs (as Miñister of Finance *ad interim*) presented the budget for the present year. The expenses of the country were estimated at 1,106,324,302 reals, and the revenue at 885,126,551 reals, leaving a deficiency of 221,197,751

reals (2,220,000*l.* sterling.) This communication was referred to the committee on the budget.

The Minister for Foreign Affairs then stated, in reply to some questions put to him, that Queen Christina had not received any part of her pension, and that in consequence of the poverty of the Treasury, Queen Isabella, like all the other pensioners of the civil list, had only received one-third of the pension settled on her.

The Cortes this year were occupied for a long time in debating the question, whether there should be constituted one sole Regent of Spain,—and on the 8th of May they decided by a majority of 153 votes against 136 in the affirmative. Afterwards there was a second ballot to determine in whom the sole authority should be concentrated, when the following result appeared:—

In favour of Espartero	179
In favour of Augustin Arguelles	103
Votes lost	3

Espartero was accordingly proclaimed sole Regent of the Kingdom on the 9th of May, all the Ministers waited upon Espartero to congratulate him on his elevation to the sole Regency,—and when the officers of the garrison and the civil authorities paid their respects the same day, he promised energetically to defend the throne, the constitution, and the national independence. Next day he was formally sworn in as Regent in the Chamber of Deputies in presence of the assembled Cortes. After he had taken the oath, he delivered a speech to the Cortes, which gave great satisfaction on account of the constitutional principles embodied in it. The Duke of Victory then proceeded to the palace, and shortly afterwards appeared on the balcony with the young Queen to review the troops of the line, who passed in front of the palace, the Duke standing uncovered behind the Queen.

At first the old Ministry was appointed *pro tempore*; but soon afterwards the Regent empowered S. Gonzales to form a new Cabinet which he was unable to accomplish. Espartero next applied to S. Olozaga, who also failed; but at last S. Amodovar was successful in getting together a Government composed of the following Members of Administration.—

Senor Gonzales	President of the Council and Minister of Foreign Affairs.
Senor Sarra-y-Rull ...	Minister of Finance.
Senor Infante	Minister of the Interior.
Senor San Miguel... ...	Minister of War.
Senor Garcia Gamba ...	Minister of Marine.
Senor Alonzo	Minister of Justice.

The new Ministers made their appearance before both Chambers on the 22nd of May. In his capacity of President of the Council, S. Gonzales delivered a speech constituting a programme of the policy of the new Government; of which the following is an outline—

He began by stating that he would govern the country with the aid of the present Cortes. He pledged himself to respect "accomplished facts," and to apply all his energy to consolidate the throne of Isabel 2nd and the institutions of the country. He would

endeavour, he said, to preserve with foreign powers relations of amity and good understanding, and at the same time carefully cause the national dignity and independence to be respected. A friendly intercourse would be kept up with the American republics, and the Minister would neglect nothing to promote the improvement and welfare of the colonies. One of the first bills which would be submitted to the Legislature would have for its object to secure an honourable subsistence to the clergy. Another would be immediately afterwards presented, for regulating the four per cent. tax voted by the Cortes in 1840. "The judicial institutions are to be reorganised, on a plan more in harmony with the wants of the age. The home department will also undergo modifications calculated to accelerate the despatch of public business. The Government will, by all possible means, promote the spirit of agricultural, manufacturing, and commercial association. The education of the people will be the object of its particular solicitude. Every attention will be paid to introduce a system of economy in all the branches of the administration, and to diminish the public burdens: the army is to be reduced; the sale of national property encouraged; the Ministry of Finance to be reorganised according to the system of centralization; and whenever the Government feels obliged to conclude any financial transaction the greatest publicity will be given thereto. Finally, the navy will be placed on a more respectable footing."

The chief question that now occupied the attention of the Cortes was that of the guardianship of the young Queen Isabel 2nd. The Ministry requested the Queen Mother to relinquish this office, but she, without sending a positive refusal, attached such conditions to her assent to the Ministerial proposition that the Government could not accept them. The question was referred to a Committee of the Chamber of Deputies, and in its report, which was presented in June, it declared its opinion that the Queen Dowager not residing in Spain could not discharge the functions of Guardian to Queen Isabel, and that the office being now vacant the Government should call a meeting of both Houses for the purpose of appointing a successor to her Majesty. The office of Guardian to the Queen was afterwards in the Chamber of Deputies declared to be vacant by a majority of 129 votes to 1, and the Senate subsequently passed a vote to the same effect, and Senor Arguelles was appointed Guardian of the youthful Queen and her sister. About the same time the payment of the annual sum of 12,000,000 of reals (120,000*l.*) formerly enjoyed by Queen Christina as Regent was discontinued and she was restricted to the jointure insured to her by King Ferdinand on her marriage.

But the ex-Regent was determined not to be deprived of the office of Guardian to her children without making an effort to preserve what she called her rights, and accordingly she addressed to the Spanish nation from Paris a long document dated July 19, in which she solemnly protested against the act of the Cortes in nominating a successor to her.

To this manifesto the Spanish Government published a long reply, dated August 2, and signed the Duke de la Victoria and An-

tonio Gonzales. As a kind of apology for noticing it in such a manner they state, that the letter directed to Don Baldomero Espartero might be termed private, if it did not contain an express command to publish forthwith the Queen's protest in the *Madrid Gazette*. Thus it was evident that the letter was officially addressed to the Regent of Spain; that to regard it as a private communication would have been to disown that dignity, and that the command of immediate publication betrayed the pretension to resume an authority which the Queen Mother, having abdicated, no longer retained.

"There is in this pretension a new inconsistency on the part of the Queen Mother. Can we forget the celebrated act of Valencia, by which her Majesty renounced the Regency of Spain, the message which, with that object, she addressed to the Cortes, or the arguments employed by the Ministry she herself had created, and of which I, as President of the Council of Ministers, was the chief—arguments employed to dissuade her from that step? Every Spaniard must remember the manifesto signed by her Majesty at Marseilles on the 8th of November last, and which concluded with the words, "that she who had been Queen of Spain, sought for nothing but permission to love her daughter, and respect her memory." And after declarations as explicit as they were free and solemn, can she pretend to retain an authority renounced by that first act, and which renunciation is confirmed and acknowledged by the second?"

After admitting that the late King Ferdinand 7th had appointed Queen Christina guardian to his daughters they assert that it cannot be contested that those Princesses the one as Queen and the other as immediate heiress to the Crown, belonged to the nation, and that they were placed under the protection and safe-keeping of the nation and committed to the Cortes. The document goes on to say—

"Now, the question of the guardianship is confined within a narrow compass, and it is only requisite to decide whether or not the august minors stand in need of that protection, for in the affirmative case, the Cortes cannot but extend it to them, and consequently appoint a guardian. This question was decided by the Queen Mother herself when in a foreign country, and consequently she left herself no discretionary power of alleging at any time violence, constraint, or deprivation of liberty. She herself, in her manifesto sent from Marseilles, said—"I have laid down the sceptre, and have given up my daughters."

The Infantas were then abandoned, and consequently required protection, which it was necessary the Cortes should afford them, and for that purpose give them a guardian. Under such circumstances the testament of Ferdinand 7th was useless and inefficacious. It did not fulfil, and could not fulfil, the object of protecting the illustrious Princesses. It could serve as little to appeal to the laws of the Partida, which never could be considered to have such authority. Still less could the civil code, which relates to common guardianships, be referred to, for the tutelage of princes never was governed by that system of law.

Taking for granted, then, the full recognition of the fact, that the illustrious Infantas were left without protection, the question of

tutelage, abstracted from many other considerations, resolves itself into the same state in which it would have stood had Ferdinand 7th named no guardian, the same as if the Princess had also no mother, no widow mother, in which case the Cortes must have given them a guardian.

The Cortes have, therefore, discharged one of the most important duties which the constitution imposes. Far from having overstepped the laws, or any article of the constitution, as is asserted in the protest, they have been guided strictly as it was their duty to be—by the fundamental law. It must, therefore, also be concluded that the declaration of the Cortes is not a forced and violent usurpation of powers, as is stated in the protest, but the legal exercise of the powers conferred by the constitution."

But although the Spanish Government was able satisfactorily to dispose of the arguments by which the ex-Regent still claimed the guardianship of her daughters, she was not without partisans in Spain who regarded her in the light of an injured woman, and who wished to restore her to the full enjoyment of that authority of which they contended that she had been unjustly and by force deprived. Early in October an insurrection in her behalf broke out at Pampeluna, where General O'Donnell at the head of two battalions gained possession of the citadel. He issued two proclamations, one to the army and the other to the inhabitants of Navarre. In these he accused Espartero of having traitorously seized the Regency, and of intending to murder the young Queen and her Royal sister in order to become Sovereign of Spain; and he charged the Government with spoliating the lands of the clergy, depriving the Biscayans of their *fueros*, and starving the army. These proclamations were signed "The Lieut.-General, Viceroy, and Capt.-General, *ad interim*, of Navarre and the Basque provinces, Leopold O'Donnell." Capt.-General Ribeiro commanded the Government forces and the National Guard in the town upon which O'Donnell on the 8th of October opened a cannonade, and declared that he would repeat it every time that he or any of his party was attacked.

A similar rising took place at Vittoria, where Don Manuel Montes de Oca hoisted the standard of rebellion and issued a proclamation in which he styled himself "A Minister of Marine (under the Presidency of Perez de Castro) Member of the Provisional Government of Spain during the absence of the Queen-Regent Maria Christina of Bourbon." In this he threatened death to all such traitors as should after a certain time continue to obey the orders of the revolutionary Government of Madrid. The question of the *fueros* was again made the rallying-cry for the Biscayans and other inhabitants of the northern provinces, and in a proclamation addressed to them de Oca said—

"Noble and valiant inhabitants of the Basque Provinces and of Navarre!—I promise you, in the name of this august Princess, the preservation of your *fueros* in all their integrity. You have conquered them with the blood of your veins, by the sweat of your brow, and by the loyalty of your hearts. The commerce of the invincible Bilbao will again flourish under the shelter of protecting laws.

The industry of all the country will be admitted to the benefits of national industry; in such a manner, nevertheless, that the favour granted to your labour will not become a means of fraud and harm to the rest of the Spaniards.

"Basques and Navarrese!—You will have neither now nor later any other modification and regulation in your secular *fueros* than those which you yourselves will establish by means of the only exclusive and legitimate representation of the country, that is, by your Juntas and your Cortes."

Munagorri also raised the watchword of "*Paz y fueros*" at Verastegui.

But these attempts were not confined to the provinces. On the night of the 7th of October a desperate attempt was made at Madrid by a band of conspirators, headed by Generals Don Diego Leon and Concha, to storm the palace and get possession of the person of the Queen; but by means of the loyalty and courage of the guards in attendance, this bold enterprise was defeated.

The following account is taken from a contemporary writer at Madrid.

"As early as eight in the evening, on the day when the attempt was made on the Palace, Generals Concha and Leon assembled their partisans to seize the young Queen and her sister. They relied upon the concurrence of the Royal Guard on duty outside the Palace. The Princesses were not aware of the first attempt, and showed no alarm until they heard the firing. At the usual hour for retiring they refused to go to bed, declaring that they were too much frightened. They, however, became very sleepy, and during an interval of quiet went to rest. They were, however, soon awakened by the conflict in the adjoining apartments, and believed they were lost, demanding with tears and screams that they should be concealed and saved. It was a long time before they could be pacified and made to suppress their heartrending cries and exclamations. The assailants having been driven from the Queen's apartments, the attendants endeavoured to soothe the distress of the Princesses, and prevail upon them to go to sleep. Scarcely, however were they once more in bed, when a new attack, more violent than the first, was made; the balls entered their chamber, and they again left their bed. The Queen and her sister began to say their prayers, earnestly demanding a confessor, as they believed their last hour was come. They were saved by a species of miracle from the hands of those who sought them, their safety being due only to the devoted courage of eighteen halberdiers, who performed prodigies of valour. These veterans displayed all that chivalrous spirit which made our ancestors prefer death to the abandonment of a post which had been intrusted to their keeping. The force they had to resist was considerably greater than their own. The leaders of the revolt reckoned eleven companies of the Princess's Regiment within the Palace, besides the Royal Guard on duty. The assailing troops surrendered immediately on their being deserted by Concha and Leon. As soon as the danger in which the Queen had been placed was past, she and her sister were prevailed upon to lay down to rest, but only on mattresses laid in parts of their chamber which they thought were

safe from the balls. It was then four in the morning. To describe the terror they had undergone is impossible. Amidst their cries they said, 'When mamma comes to know all this, she will write to Espartero to punish the wicked men.' On the 8th the garrison and National Militia were reviewed in front of the Palace, and when they filed off before the Queen, who was in the balcony, shouting '*Viva el Reyna!*' she turned to one of her attendants and said, 'Without the halberdiers I should not now be alive!'"

Several of the conspirators were pursued and arrested almost immediately in the neighbourhood of Madrid, and amongst them Don Diego Leon. This brave and enthusiastic young officer, when he was taken wore the full uniform of a General of Hussars, with numerous crosses and honours. He had distinguished himself in the war against Don Carlos, and by his chivalrous bearing gained himself a high reputation. He was tried before a Council of War, and condemned to death. His execution took place, on the 15th of October, outside of the Gate of Toledo, and his last moments are thus described by an eye-witness.

"A flash of his natural courage illuminated the last moments of the ill-fated chief. On arriving on the fatal ground, he descended with perfect composure from his carriage, and walked with the utmost firmness of tread, dressed in full uniform, to the spot marked out for him to meet his sorrowful end. He there, embracing General Roncali and the clergyman in attendance, addressed a few words to the persons present, with a full and unshaken voice. He denied being a traitor or a coward, of which he had been accused: he had given, he said, many days of glory to his country, and he did not then repent it: if he had done injury to any person, he there begged their forgiveness, as he forgave his enemies; and raising his voice, with an animated gesture, cried '*Viva Isabel Segunda! Viva la Libertad!*' He then bade his brother-soldiers farewell; and giving himself the word of command, the picquet fired and he was no more."

Espartero was not wanting to the emergency; and by means of his energetic measures this outburst of rebellion was quickly suppressed. He left Madrid on the 19th of October for the North, and before his departure issued a proclamation denouncing the rebellion, in which he reminded the people that he derived all his power from them, and appealed to them whether he had in any respect violated the promises which he had made to observe the Constitution. He committed, he said, the care of the Queen until his return, to the National Guard of Madrid. The insurgent troops began rapidly to fall off from their leaders. A party of soldiers who were acting as escort to the Marquess de Alameda (an active leader in the rebellion) an officer named Leira, and Montes de Oca, permitted the two former to escape, but seized upon Montes de Oca, and brought him back by force to Vittoria and delivered him up to Zurbano, one of Espartero's generals. He was afterwards tried and shot. At Tolosa, Alava, and Guipuscoa, the officers and soldiers who had declared themselves against the Regent returned to their duty, and on the 20th O'Donnell ordered the remnant of troops which

he had left in Pampeluna to evacuate the citadel, and two or three days afterwards he crossed the frontier into France with about 2,500 men, and arrived at Bayonne.

The next question is, whether the Queen Mother, then resident at the Court of Louis Philippe, had any, and what part, in the abortive insurrection of which we have thus briefly detailed the history. The Spanish Ambassador at this period in Paris was S. Olozaga, and when intelligence of the attempt on the palace of Madrid reached Paris, he immediately waited on Queen Christina, and (as he asserted) obtained from her a distinct disavowal of any participation in the conspiracy. Not long afterwards he addressed to her Majesty a letter, in which he stated that he had transmitted her disavowal to the Spanish Government, but as the insurgents still continued to use her name, he suggested that she should publish a declaration to the Spanish nation, to show that this was done without her authority and against her wish, or that her silence could only bear one interpretation. Queen Christina to this returned the following reply through the medium of her private Secretary, "The Queen Donna Maria Christina de Bourbon commands me to tell your Lordship that she does not think proper to reply to your strange communication of the 12th of this month, in which the facts were mis-stated and her Majesty's words falsified."

S. Olozaga rejoined that if he had misquoted the words of the Queen Mother, he was ready to transmit to his Government any more correct version furnished by her of what she had said, and refused any longer to hold correspondence with those who did not acknowledge his character as Envoy from the lawful Regent of Spain. The answer was in the name "Don Josè de Castillo," the Queen's Secretary, and stated that "considerations of a superior mind" alone induced her Majesty to break silence, with a view to proclaim her real sentiments, and give vent to her profound indignation. It then proceeded as follows:

"The Queen neither advised nor created the sad events which have again afflicted our unhappy country, while the tears and blood which during seven consecutive years were shed in the Peninsula were still flowing. A stranger to all the passions engendered by political discords, her Majesty supported with courage and resignation the anguish which she has had to endure from the day when she lost sight of the two august orphans so dear to her heart. Deploring, as she does, the error and infatuation of men who requited by insult and by the basest ingratitude those benefits which they had received from her generous hand, and reconciled to lead a sad but tranquil existence in a foreign land, her Majesty has invariably followed the pacific, noble, and safe course which she has laid out for herself under those painful circumstances. No, her Majesty has neither advised nor excited civil war; and it was not possible for her to do so, after declaring in a recent public document the consolation which she felt at having been the constant promoter of peace. It is elsewhere we must seek the causes of the new collision which has broken out in Spain. Those causes are to be found in the attempts of Barcelona and Va-

lencia; in the vicious origin of the Government constituted in Madrid, the work of the revolution of September; in the usurpation of royal authority; in the illegality and unruly injustice of the measures of that Government in numerous and flagrant infractions of the Constitution and the laws; in its imprudent and scandalous obstinacy in violating the faith pledged at Bergara, and trampling under foot the ancient and venerable *fueros* of the generous Basques and Navarrese; in the violent and iniquitous usurpation of the Queen's right to the guardianship of her illustrious daughters,—an usurpation which loyal Spaniards viewed with stupor equalled only by their profound grief, because they witnessed on this and several other occasions the contempt entertained for divine and human laws; and because they saw the honour and dignity of the mother of their Sovereign seriously offended."

"In their implacable fury," not satiated with the persecution of Christina, "the Revolutionists" "perfidiously seek to cover her with opprobrium"—

"After having plunged her in misfortune, the Revolutionists are striving to extort from her lips an iniquitous condemnation of those who, in resisting the most odious tyranny, have confidently invoked her august name. In their blind delirium they aspire to nothing less than to obtain from her Majesty the sanction of all the acts and all the scandals of the Government of Madrid, which rekindled in Spain extinct discords; and they wish, moreover, that her Majesty should lay the responsibility of this new conflagration to the noble defenders of the laws indignantly outraged. Their frenzy prompts them to call on her Majesty to avow herself indirectly the accomplice of those who have the shameful impudence of calumniating, by charging them with regicidal projects, the men who have courageously taken arms to deliver august and helpless orphans from the hardest bondage. Her Majesty would cover herself with shame if she were to accept so ignominious a position. She will never sully her name by so black a stain."

This declaration was made to S. Olozaga, in order that he might communicate it "to the Government which accredited him to the Court of France," as containing the "exact and faithful meaning and true representation of what her Majesty said." The truth seems to be that Queen Christina was from the first in the secret of the conspiracy, and had it been successful, would have gloried in the enterprise, but as it proved abortive, she was afraid of embarrassing herself if she appeared privy to the attempt, and yet felt all the shame of ingratitude in disavowing the actions of gallant men who had shed their blood in her cause. Hence her vacillation, and the inconsistency of her language. It was very generally believed that there was another illustrious actor behind the scenes, and that Louis Philippe was privy to and countenanced the insurrection, with the ultimate view of marrying his son, the Count d'Aumale, to the young Queen Isabel 2nd.

But although the Queen Mother was beyond the territory of Spain, she was not allowed to escape altogether the consequences of the late attempt; for on the 26th of October Espartero published a decree, dated Vittoria, in which, on account of "just political reasons,

causes, and considerations of public propriety," he suspended the payment of the pension assigned to her, until some new legal provisions should be adopted in that respect. The Regent also, about the same time, issued a decree, reorganizing the Government of the Basque Provinces, suppressing the *fueros*, and removing the custom-houses to the frontier.

PORTUGAL.—We have already given an account of the settlement of the dispute between Portugal and Spain, with reference to the question of the Navigation of the Douro, which was adjusted through the medium of the good offices of the British Government, in conformity with the demands of Spain, although, at the opening of the Portuguese Cortes, on the 2d of January, this year, the Queen's Speech declared that the terms insisted on by Spain could not be complied with.

In the month of June a change of Ministry took place, and the following was appointed:—President of the Council and Minister of the Home Department, Senhor Aguiar; Foreign Affairs, Senhor R. F. Magalhaes; Justice, Senhor C. Cabral; Finance, Senhor Avila; War, Conde de Villa Real; Marine and Colonies, Senhor Pestana. The Duke of Terceira was appointed Military Governor of Lisbon, and Don Carlos de Mascaranhas Commander of the Municipal Guard.

CHAPTER XII.

INDIA AND THE LEVANT.

AFFGHANISTAN.—*Final overthrow of Dost Mahomed by General Sir Robert Sale, at Purwan—Dost Mahomed takes refuge in the British camp, and surrenders to Sir William M'Naghten—He is sent to Calcutta, and ultimately permitted to reside at Loodianah.—Capture of a Ghilzie fort by Major Lynch, and destruction of its garrison.—Rout of the Ghilzies by Colonel Wymer.*—SCINDE.—*Our troops re-occupy Khelat—Defeat of Nasseer Khan by Major Boscawen—Melancholy fate of Lieutenant Loveday—The Brahoes under Nasseer Khan are again defeated at Peer Chutta—Nasseer Khan surrenders himself to the British*—PUNJAB—*Death of Maharajah Kurruck Sing—His son and successor Non Nehal Sing accidentally killed—Shere Sing seizes the throne—Abdicates suddenly—but afterwards gains possession of Lahore, and re-ascends the throne—Disorganised state of the Punjab.*—CHINA—*Mortality amongst the British troops at Chusan—Letter from Lord Palmerston forwarded to Ningpo—Admiral Elliot sails northwards to the Pe-che-lee gulf—Negotiations in the Peho river—Admiral Elliot returns to Chusan—Keshen appointed by the Emperor Chief Commissioner at Canton, in the place of Lin—Captain Elliot opens negotiations with Keshen at Canton—Tedious delays—Commodore Sir G. Bremer reduces the Bogue forts—Terms agreed upon between Captain Elliot and the Chinese authorities—Despatch of Keshen—The British Government disapprove of the terms of the Convention—Captain Elliot is recalled, and Sir H. Pottinger appointed in his stead—Bad faith of the Chinese—The British squadron attacks the forts—Sir G. Bremer and Major-General Gough prepare to assault Canton—Keshen degraded—British flag of truce fired upon by the Chinese—The factory at Canton taken possession of by the British—Imperial Edicts—Canton at the mercy of the British—Convention entered into by Captain Elliot—Death of Sir Le Fleming Senhouse—Arrival of Sir H. Pottinger in the Canton waters—Proclamation issued by him—Expedition sails to the Northward—Captain Elliot leaves China.*—TURKEY, SYRIA, AND EGYPT—*Conditions offered by Admiral Stopford to the Pacha of Egypt—They are accepted by the latter—His communication to the Grand Vizier—The Pasha delivers up the Turkish fleet—Further negotiations with the Porte—Final settlement of the dispute—Changes in the Ministry at Constantinople—Letter on the state of Syria.*

AFFGHANISTAN.—In our last volume we gave an account of the gallant exploit of Brigadier Dennie, at Bamean, in which, with a mere handful of native troops, he completely routed the army of Dost Mahomed, who after the action fled across the Hindoo Koosh, into the Khoolum territory. In the mean time, Sir Robert Sale, with the force which had been despatched into the Kohistan, (a district at the base of the mountains, and stretching East and West within thirty miles of Cabul,) was employed in reducing the strong-holds of the partizans of the ex-King in that country, and ex perienced considerable difficulty, owing to the determined manner in which the forts were defended. Though abandoned by the Wali of Khoolum, who, after the affair of Bamean, came to terms with Dr. Lord, (our political agent in Affghanistan,) stipulating that he would neither assist nor harbour Dost Mahomed, the latter summoned his son, Afzul Khan, to join him, and moved from Nijrow towards the Ghorebund Pass, leading into the Kohistan valley, to effect the junction. Sir Robert Sale, hearing of this movement, resolved to frustrate its object, and breaking up his camp at Balan proceeded towards Purwan. The following is a short account of the localities of the ground:—The Ghorebund river enters the valley at its North-west angle; about six miles from thence, to the Eastward, the smaller river Purwan, issues from the mountains, and, after a course of six or seven miles, falls into the Ghorebund, as does the Punjshere river, near Beghram, after a course of sixteen or seventeen miles. These three streams form the passes called respectively, the Ghorebund, the Purwan, and the Punjshere Pass. We give the despatch of Sir R. Sale, written after the action which terminated in the complete and final overthrow of Dost Mahomed.

To Major-General Sir Willoughby Cotton, G.C.B. and K.C.H., &c. &c. &c. Cabul.

"Sir,—Having received intelligence that Dost Mahomed Khan, with a number of armed followers, had taken possession of some forts in this direction, from which he proposed moving to-day towards the Ghorebund Pass, with the view of effecting a junction with his son Mahomed Afzul Khan, I determined on endeavouring to frustrate the attempt. Accordingly at 6 A. M. I broke up my camp at Balan, the Fort of Meer Musjeedee, and moved on this position. An advanced column, consisting of four companies of H. M.'s 13th Light Infantry, the two Flank Companies of the 37th N. I., one company of the 27th N. I., the two six-pounders of the Shah's, two squadrons of the 2nd Light Cavalry, and 200 of Anderson's Horse, the whole under the command of Lieut-Col. Salter, preceded the main body, which was commanded by myself.

"On approaching Purwan, the forts and villages were rapidly evacuated by the enemy, who were seen flying to the hills in great numbers; I cannot compute them at fewer than 500 horse, and 3,500 foot; the native reports received swell their numbers to a much higher amount. Dr. Lord, who accompanied Col. Salter to procure information, sent word that he believed if the cavalry proceeded in advance, they would be able to cut off some of the fugitives; and

in compliance with his request, the 2nd cavalry were ordered to skirt the hill to the right, while the Shah's horse, under Captain Anderson, took post on the left of the Pass, to prevent any of the enemy attempting to escape in the direction of Ghorebund. The infantry followed, but their movements were greatly retarded by the guns, the progress of which was much impeded by the numerous water-courses that intersected the road.

"The 2nd cavalry had preceded the column about a mile, when a body of the enemy's horse, about 200 in number, supposed to be headed by Dost Mahomed in person, came down the hill to attack them. The cavalry was formed into line, and led on to the charge by Captains Fraser and Ponsonby, commanding the two squadrons. It is my painful duty to record, that the gallant bearing of these officers was but ill seconded by their men; they both found themselves in the midst of the enemy unsupported by their troopers, and, after being most severely wounded, extricated themselves with difficulty, and found their men flying before the enemy. I deeply regret to state that Lieutenant Crispin, the adjutant of the regiment, was cut down and killed, leading his men into action; Dr. Lord was also most unfortunately killed in this affair, and Lieutenant Broadfoot, of the engineers, who was also in advance, is missing. Of the gallantry of Captain Fraser, and the other officers of the 2nd cavalry, who led the squadrons of the regiment on this occasion, I cannot speak too highly, and I regret that their noble example, and the opportunity offered to the 2nd cavalry of adding to its laurels, have been thus neglected by them.

"The two flank companies of the 37th regiment, and one company of the 27th regiment, supported by two guns from Captain Abbott's battery, and followed by some of the Jaun-Bauzes, now ascended the hill overlooking the pass and valley of Purwan, which was crowded by the enemy's infantry, and cleared it in brilliant style, the enemy deserting their positions one after the other, and flying in the direction of the Punjshere valley, where they still cover the hill side in great numbers. The enemy, however, are at too great a distance to admit of my following up the advantage I have obtained this evening, the whole of the troops having been under arms for nine hours. I have, therefore, encamped on the ground, taking every precaution to guard against a night attack.

"I beg to enclose the accompanying casualty return, from which you will perceive that, excepting the serious disaster sustained in the affair of the 2nd cavalry, but little loss has resulted from the day's operations.

"I have, &c.

(Signed)

"R. Sale, Major-General.

"*Camp, Purwan, Nov.* 2, 1840."

After this decisive battle, Dost Mahomed's soldiers refused to make any further efforts against the British forces; and that ex-chief fearing that his retreat might be cut off, or himself assassinated, resolved to throw himself upon the generosity of his foes, and passing through Major-General Sale's camp, with a single follower, he reached Cabul unobserved, and surrendered himself to Sir Wil-

liam M'Naghten, on the 3rd of November, the day, after the battle. He rode up to Sir William M'Naghten and put his sword into the hand of the latter as a token of submission, but this was immediately restored to him. He wrote also to his three sons, who were in different parts of the country, desiring them to follow his example, and deliver themselves up.

Various reasons were attempted to be given for the disgraceful conduct of the 2nd cavalry: but it seemed to be a general opinion, that they did not behave thus from cowardice, but through disaffection of some kind. They were, however, dismounted and disarmed, and sent home to Bengal, where they were afterwards broken-up and disbanded with marks of igno-

Dost Mahomed was, in a few days after his surrender, despatched under a strong escort to Loodianah, which was for a long period the place of retirement of Shah Soojah-ool-Moolk, his rival and successor on the throne of Cabul. He afterwards was allowed to proceed to Calcutta, where he arrived in June, and was ultimately permitted to take up his residence in Loodianah, and a yearly pension of three lacs of rupees (30,000*l.*) was granted to him.

During the remainder of this year, at least, so far as we can include a narrative of its events in the present volume, Affghanistan remained tolerably tranquil, and nothing occurred of a hostile nature, with one exception, which deserves mention, more from the fatal consequences which ultimately flowed from it than from its intrinsic importance. This was the capture of a fort by Major Lynch, and destruction of its Ghilzie garrison, under an unhappy mistake. It had been determined to make the old fort of Khelat-i-Ghilzie a station for Shah Soojah's troops, and two battalions were sent to occupy it. The Ghilzies in the neighbourhood, though well disposed towards the Shah, had some misgivings as to the object of this proceeding, and Major Lynch, the political agent, passing, with a party of cavalry, a small fort near the station, saw about thirty or forty men, who, on his approach, retired into the fort. The major summoned the chief to surrender the place, and received a promise that it should be given up next morning, but Major Lynch, unwilling to risk delay, sent for a reinforcement, stormed the fort, and its defenders making a desperate resistance, they were nearly all killed, the chief included, who was a stanch adherent of the Shah in that part. The whole Ghilzie tribe took up arms, to the number of 5,000, to revenge the death of their chief, surrounding the two Shah's regiments at Khelat-i-Ghilzie, under Captains Macan and Griffin, and the whole country was thrown into disorder.

General Nott sent from Candahar a detachment to succour these troops, under Colonel Wymer, and when it was within two or three marches of its destination, the Ghilzies hastened from Khelat-i-Ghilzie to the attack; a sharp conflict took place, which ended in the complete rout of the Ghilzies, who retired, leaving seventy dead upon the field. This unfortunate quarrel with the Ghilzies, however, seems to have been one of the chief causes of the tragical events which happened afterwards in Cabul, and which we shall

have to record in our next volume.

SCINDE.—We mentioned in our last volume that the fortress of Khelat, which had been taken by our troops on the march of the "army of the Indus" to Cabul, had again fallen into the hands of the enemy. It did not, however, remain long in their possession, for on the same day that Dost Mahomed surrendered to Sir W. M'Naghten, Major-General Nott re-occupied Khelat, which had been plundered and abandoned by the Beloochees after destroying the town. After Nasseer Khan had (as detailed in our last volume) made himself master of Khelat he led his Brahoe troops first to Moostung, then to Beehee Vanee above the Ghats, and then descended through the Bolan pass. He sacked and destroyed Gundava, and then approached Kotra and Dadur. At the latter place Captain Watkins was in command, and Major Boscawen set off to support him with a detachment of troops, consisting of a wing of her Majesty's 41st., the 38th Bengal, N. I., and some irregular horse. After accomplishing his march with much difficulty owing to the inundated state of the country he found that the post and town of Dadur had been repeatedly assaulted by the Brahoes under Nasseer Khan. Major Boscawen immediately resolved to attack the enemy, who were about five thousand in number, and ordered his party to advance on the Brahoes, who, after suffering severely, retreated, and were pursued to their camp, from which they were speedily driven. This happened on the same 3rd of November, 1840, on which Dost Mahomed surrendered and Khelat was retaken. When our troops reached the Brahoe camp a sad spectacle met their eyes. This was the murdered body of Lieut. Loveday still warm, which was found chained to a kujawah (a sort of camel-chair) with the head almost severed from the trunk and half naked. His servant was weeping over it. It appears that this unfortunate young officer, who was as we have before mentioned our political agent at Khelat, at the time when that fortress was attacked and taken by Nasseer Khan, was taken prisoner and confined for a fortnight in a house in Khelat. When the Brahoes left Khelat to march against Moostung they took Lieut. Loveday with them, and afterwards made him accompany them to Dadur. On leaving Moostung they loaded him with irons and chained him to a camel-chair during the night. When the British attacked the Brahoes at Dadur he was killed by a blow from one of the latter to prevent him, as is supposed, from being rescued.

The Brahoe forces under Nasseer Khan after being driven from Dadur were reinforced by the garrison which had evacuated Khelat, and were able to muster in such numbers as once more to face the British in the field. On the 2nd of December they were brought to action and utterly routed by Lieut.-Colonel Marshall at Peer Chutta, near Kotra, at the head of 900 infantry and 60 irregular horse. The Brahoes made a long and desperate resistance—and four chiefs and 500 men were left dead on the field. Nasseer Khan himself escaped, leaving his kettle-drums and baggage behind, but not long afterwards this chieftain surrendered himself to Lieut.

Wallace, and thus our operations in Scinde were at the close of the year 1840 completely successful. Nothing occurred in this part of India during the present year which deserves notice.

Punjab.—On the 5th of November, 1840, Maharajah Kurruck Sing, the son and successor of the celebrated Runjeet Sing, died at Lahore, not without suspicion of having been poisoned. One of his wives immolated herself upon his decease, according to the Hindoo custom. His son, Nou-Nehal-Sing, who succeeded as his heir to the throne and whose hostile feeling towards the British was notorious, was returning from the funeral of his father when as he was passing under a gateway a huge beam fell upon the elephant on which he was riding, and so severely injured Nou-Nehal, who was not more than 22 years of age, that he survived only a few hours. Upon this event Shere-Sing, an illegitimate son of old Runjeet Sing, was raised to the throne; but he after a variety of those intrigues and conspiracies which are so common on the decease of every Asiatic ruler, abdicated, and the widow of Kurruck Sing, in conjunction with Dhian Sing, the chief minister in the time of Runjeet Sing, assumed the reins of Government.

This state of things, however, did not last long, for it seems that Shere-Sing had retired merely for the purpose of consolidating his strength, and that Dhian Sing, the powerful minister, was in reality on his side. Accordingly early in the present year Shere Sing supported by nearly all the principal Sirdars of the kingdom, suddenly made his appearance before Lahore and gained possession of that city. The Queen with a few troops held out in the citadel for several days, during which some severe fighting took place; but at last she desisted from the struggle, and Shere Sing who had been openly joined by the Vizier Dhian Sing, re-ascended the throne which he had a short time previously abdicated. These occurrences prove how unstable was the tenure of dominion bequeathed by Runjeet Sing to his successors, there being five successive changes in the sovereigns of the Punjab during a period of eighteen months. Our chief interest lay in securing a free and unmolested passage for our troops from British India to Affghanistan, and we did not interfere in the internal dissensions which shook the throne so long and ably occupied by our steadfast ally Runjeet Sing. The country, however, was in a state of fearful disorganization, and the army was described to be uncontrolled by discipline, while marauding parties traversed the kingdom, and many murders were committed. We had a considerable force assembled on the frontier ready to cross the Sutlej in case our interference was rendered necessary. The following is the account given of the state of the Punjab at this juncture in one of the Indian journals. "The disorganization of the Sikh army is now complete; the country is covered with gangs of marauders; and the mouldering ruins of villages and hamlets attest the calamities inflicted by a pillaging and massacring soldiery, and threaten a suspension of agriculture."

China.—We continue our narrative of the operations of our land and naval forces on the coast of China, which we brought down to the capture of the island of Chusan and its principal town Ting-hae.

The climate here was found to be very unhealthy, and our men suffered severely. Fresh provisions were also scarce, and soon after taking possession of the island only 2,035 men were fit for duty out of 3,650. Admiral Elliot arrived at Chusan on the same day on which it was taken, and he despatched a part of the squadron to Ningpo with a letter addressed by Lord Palmerston to the Chinese Minister. This letter however the Chinese authorities at Ningpo declined to forward or receive, although they treated the British officers accompanying the squadron with great civility.

Shortly after Chusan fell into our hands, Admiral Elliot, accompanied by Captain Elliot, sailed with part of the squadron northwards to the Pe-che-lee harbour or gulf, into which the Peho (or Pekin) river flows, where he arrived on the 9th of August, 1840. On the 11th Captain Elliot proceeded into the mouth of the river in the steamer, with the boats of all the men of war present, manned and armed, and on our arriving at the bar the steamer anchored, and the boats proceeded into the river with a flag of truce flying; on their arrival off the forts at the entrance, a mandarin boat pushed off to them and received the Admiral's letter, and after the expiration of six days, the time granted by his Excellency, a chop was received, stating the Emperor required ten days to consider, which time being agreed to, the squadron proceeded to the different islands in the gulf of Pe-che-lee to water and procure bullocks, the Ernad transport proceeding with them. They succeeded in obtaining a supply, and returned to the anchorage by the 27th of August, the day appointed, and the imperial chop was sent off to the ships, and on the 30th an interview took place between Captain Elliot and Keshen, the imperial commissioner, the third man in the empire, a mandarin of the first class, and red button.

Negotiations now took place, which were protracted until the 15th of September, on which day the Admiral sailed away from the Peho. When the squadron returned to Chusan it transpired to the astonishment of all, that Admiral Elliot had consented to transfer the scene of the negotiations from the Pe-che-lee to Canton, where all details were to be settled, and where the Chinese Government promised to arrange everything to the satisfaction of the British. This was justly regarded as a capital error on the part of the Admiral and Plenipotentiary, who ought to have known that no faith could be placed in Chinese promises unless supported by force, and who had the opportunity by reason of their vicinity to Pekin and the terror inspired by our rapid successes, of extorting from the Chinese Government concessions far more favourable and certain than could be possibly expected when the threatened danger was removed to Canton.

The Emperor, however, was so displeased at the turn which affairs had taken that he superseded Commissioner Lin in his office, and an investigation was ordered to take place as to his conduct since his arrival at Canton on the 10th of March, 1839. Keshen was appointed in his place, and represented himself as being invested with full powers to treat with the English, and adjust the quarrel between them and the Chinese Government,

Captain Elliot accordingly proceeded to Macao and opened negotiations with Keshen at Canton, which were protracted by various delays until nearly three weeks, when at last the Imperial Commissioner not having acceded to the terms offered by Captain Elliot, the latter transferred the conduct of the affair to Commodore Bremer, who made immediate arrangements for commencing hostilities. In the meantime Keshen had been availing himself of the time he had gained by his procrastination, and had been busily employed in erecting new batteries at the Bogue—barricading the bars in the river by sinking boats laden with stones—throwing up breast-works near Canton, and levying troops.

On the morning of the 7th of January of the present year, Commodore Bremer opened a fire from his squadron on the Bogue forts, two of which were very soon reduced, and the English flag floated over them. The next morning every thing was ready to attack the principal fort of Anunghoy, when a flag of truce was sent by the Chinese, and hostilities were suspended. This was an offer on the part of Keshen to adjust matters without further delay. On the 20th a circular appeared signed by Captain Elliot, and dated Macao, addressed "to her Britannic Majesty's subjects." It stated that her Majesty's Plenipotentiary had to announce the conclusion of preliminary arrangements between the Imperial Commissioner and himself, involving the following conditions:—

1. The cession of the harbour and island of Hong Kong to the British Crown. All just charges and duties to the Empire upon the commerce carried on there to be paid as if the trade were conducted at Whampoa.

2. An indemnity to the British Government of 6,000,000 of dollars, 1,000,000 payable at once, and the remainder in equal annual instalments ending in 1846.

3. Direct official intercourse between the two countries upon an equal footing.

4. The trade of the port of Canton to be opened within ten days after the Chinese new year, (the 2nd of February) and to be carried on at Whampoa till further arrangements are practicable at the new settlement. Details to remain matter of negotiation.

To show in what light matters were viewed by the Chinese, or at all events how they affected to regard them, we subjoin a despatch of the same date from Keshen to the Keunmingfoo of Macao. It runs as follows. "The English barbarians are now, obedient to orders, and by an official document, have restored Tinghae and Shakeo; *invoking me with the most earnest importunity, that I should for them report and beg* (*the Imperial*) *favour*. At present all affairs are perfectly well settled. The former order for stopping their trade and cutting off the supplies of provisions it is unnecessary to enforce; it is for this purpose that I issue these orders."

The terms of this convention were much censured, and it certainly was a remarkable omission that not a word was mentioned in it about the opium traffic, which was in truth the source of all our difficulties with the Chinese. Besides it seemed impolitic to stop Commodore Bremer when on the point of attacking the fort of Anunghoy, which afforded the

vain-glorious Chinese a pretext for attributing our willingness to negociate to a fear of its strength.

The view taken of Captain Elliot's diplomacy by the British Government at home was sufficiently manifested by a declaration of Lord John Russell in the House of Commons on the 6th of May, that the preliminary arrangements between the Chinese Imperial Commissioner and Captain Elliot had not been finally concluded; that this arrangement had been disapproved of by her Majesty's Government, and that Captain Elliot had been recalled, and Sir Henry Pottinger appointed Plenipotentiary in his stead.

It soon appeared that the Chinese had no intention of fulfilling these engagements, although orders were sent to Chusan by Sir Gordon Bremer to provide for the immediate evacuation of that island by the British troops, and Hong Kong island was formally taken possession of in her Majesty's name, and the British colours hoisted there. On the morning of the 19th of February a hostile shot was fired at the boat of the *Nemesis* steamer from North Wangtong. Upon which the British squadron advanced up the river to attack the forts; and on the 26th of February, Captain Sir H. Fleming Senhouse, of her Majesty's ship *Blenheim*, having with him the *Melville*, the *Queen* steamer, and four rocket boats, opened a fire upon Anunghoy. The *Wellesley*, *Calliope*, *Samarang*, *Druid*, *Herald*, *Alligator*, and *Modeste*, were opposed to the batteries on the S.S.W. and N.W. of Wantong, and the forts on the western side of the Channel. In less than an hour the batteries on Wantong were silenced, and the troops under the command of Major Pratt, of the 26th Cameronians, were landed, and having, in a few minutes, made themselves masters of the island without the loss of a single man, 1,300 Chinese surrendered.

The Anunghoy batteries had by this time been silenced by the well-directed fire of the *Blenheim*, *Melville*, and *Queen*, and, perceiving that the enemy were wavering, Sir H. F. Senhouse, at the head of the marines and small-arm men, landed on the southern battery, and drove them in succession from that and the two others, and at one o'clock the British colours were flying on the whole chain of these celebrated works. This was accomplished with only five men slightly wounded out of the whole attacking force. The loss on the part of the Chinese was considerable; and at Anunghoy their admiral, Kwan, and several other mandarins of high rank, fell.

On the 27th, the light squadron proceeded up the river under the command of Captain Herbert, of the *Calliope*, and on their arrival at the first bar they found the enemy strongly fortified on the left bank of the river, close to Whampoa Reach, with upwards of forty war-junks and the *Cambridge* (formerly an East Indiaman of 900 tons); a number of vessels also were sunk, in order to bar the passage. A heavy fire was opened upon the steamers *Madagascar* and *Nemesis*, which advanced to reconnoitre; but the ships were soon brought up, and opened their fire on the junks and batteries, which in an hour were nearly silenced, when the marines and small-arm men were landed and stormed the works, driving before them upwards of 2,000 Chinese troops, and killing nearly 300. In

about half an hour after landing, all the defences were carried, although in several places a brave and determined resistance was made. Next day Sir Gordon Bremer joined the advanced squadron and several transports were pushed forward within gunshot of Howqua's Fort, and thus for the first time were ships seen from the walls of Canton. On the 2nd of May the *Cruizer* frigate came up, having on board Major-General Sir Hugh Gough, who took command of the land forces. On approaching the fort, it was found to be abandoned, and the British colours were hoisted on it. Between this and Canton were several batteries and fortified rafts, and Sir G. Bremer and General Gough were preparing to attack these on the 5th, when, after the enemy had fired all their guns and fled across the rafts on which the British colours were hoisted, at noon the Kwang-chow-Foo or Prefect, accompanied by the Hong merchants, came down, and admitted that Keshen having been degraded, and the newly-appointed Commissioners not having arrived, there was no Government authorized to treat for peace, or make any arrangements; but Captain Elliot requested the naval and military commanders to make no further movement towards the city, until it was seen what was the disposition evinced by the provincial authorities at Canton.

Sir G. Bremer, in his despatch, observes on this, "I fear, however, that the forbearance is misunderstood, and that a further punishment must be resorted to before this arrogant and perfidious Government is brought to reason." The event proved that he was right. On the 17th of March a flag of truce, sent by Captain Elliot with a chop to the Imperial Commissioner, was fired upon by the Chinese; and in consequence, the next day, the force under the command of Captain Herbert, who was in advance of the rest of the armament, carried and destroyed in succession all the forts in advance of Canton, taking, sinking, burning, and otherwise destroying the flotilla of the enemy, and hoisted the Union-jack the same day on the walls of the British factory; the guns of the squadron commanding the approaches to the city, and thus placing it entirely at our mercy.

It appears that Keshen had delayed the execution of the treaty which he had concluded in January with Captain Elliot, until he could obtain the Emperor's confirmation of it. The Imperial Cabinet rejected the treaty, and determined on war. Four Imperial edicts were issued, which breathed hostility and defiance to the English. "They are," said the Celestial Monarch, "like dogs and sheep in their dispositions. It is difficult for heaven and earth to bear any longer with the English, and both gods and men are indignant at their conduct." Keshen was ordered to be delivered over to the Board of Punishment, still, however, retaining his command.

On the 20th, a circular was issued by Captain Elliot from the British Factory, in which he stated that a suspension of hostilities had been agreed upon between him and the Imperial Commissioner Yang. This was to last until advices came from the Court at Pekin.

At the end of March, Sir G. Bremer left Canton for Calcutta, to obtain reinforcements; and during his absence Sir Le Fleming

Senhouse assumed the command in China.

In the mean time, although for about six weeks the trade was partially re-opened, in virtue of the Convention which had been entered into, the movements at Canton, and constant arrival of large bodies of Tartar troops, made it quite evident that the Chinese again contemplated hostilities, and were only waiting for a favourable moment for attack. In consequence of this, it was determined to advance again upon Canton, and on the 23rd of May, Major-General Sir H. Gough, accompanied by Sir Le Fleming Senhouse, proceeded to the vicinity of the suburbs of the city, in order to meet Captain Elliot, and also ascertain the extent of the enemy's operations.

The plan resolved upon was to make the principal point of debarkation of the British forces to the north-west of the city, while another column was to take possession of the factories, and co-operate with the naval force which was to attack the river defences. Every arrangement having been completed by two o'clock P.M. on the 24th, and the boats and other craft being placed in tow of the steamers, the British force moved to the attack; the right column, towed by the *Atalanta* steamer, to attack and keep possession of the factories; the left, towed by the *Nemesis*, in four brigades towards the left in front. The right column reached its point of attack before five P.M., and took possession of the factories, under the command of Major Pratt.

We cannot do better than give extracts from the despatch of Sir H. Gough, in which he details the events which followed:—

"The left column, towed by the *Nemesis*, from the difficulties of the passage, with such a fleet of craft as she had in tow, did not reach the *Sulphur* until dusk, which vessel Captain Belcher had judiciously anchored close to the village of Tsing-hae, the point of debarcation, about five miles by the river line above the factories. I could, therefore, only land the 49th regiment, with which corps I made a reconnoissance to some distance, meeting a few straggling parties of the enemy. The following morning the remainder of the column landed, and the whole proceeded soon after daylight.

"The heights to the north of Canton, crowned by four strong forts and the city walls, which run over the southern extremity of these heights, including one elevated point, appeared to be about three miles and a half distant; the intermediate ground, undulating much, and intersected by hollows under wet paddy cultivation, enabled me to take up successive positions, until we approached within range of the forts on the heights and the northern face of the city walls. I had to wait here some time, placing the men under cover, to bring up the rocket battery and artillery.

"Having at eight o'clock got up the rocket battery, with two $5\frac{1}{2}$-inch mortars, two 12-pounder howitzers, and two 9-pounder guns, a well-directed fire was kept up on the two western forts, which had much annoyed us by a heavy fire. I now made the disposition for attack *en echellon* of columns from the left, and directed the 49th regiment o carry a hill on the left of the nearest eastern fort, supported by the 37th Madras Native Infantry and Bengal Volunteers,

under Lieutenant-colonel Morris, of the 49th regiment. The 18th Royal Irish, supported by the Royal Marines, under Major-general Burrell, I directed to carry a hill to their front, which was strongly occupied, and flanked the approach to the fort just mentioned. This movement was to cut off the communication between the two eastern forts, and cover the advance of the 49th in their attack and storm of the nearest. Major-general Burrell had directions to push on and take the principal square fort when the 49th made their rush. Simultaneous with these attacks, the brigade of seamen was to carry the two western forts, covered by a concentrated fire from the whole of the guns and rockets.

"During the whole of the advance my right had been threatened by a large body of the enemy, which debouched from the western suburbs; and just as I was about to commence the attack, a report was made that heavy columns were advancing on the right; I was, therefore, compelled to detach the Marines under Captain Ellis to support the brigade of seamen, and to cover my right and rear.

"At about half-past nine o'clock the advance was sounded, and it has seldom fallen to my lot to witness a more soldierlike and steady advance or a more animated attack. Every individual, native as well as European, steadily and gallantly did his duty. The 18th and 49th were emulous which should first reach their appointed goals; but, under the impulse of this feeling, they did not lose sight of that discipline which could alone insure success. The advance of the 37th Madras Native Infantry and Bengal Volunteers, in support, was equally praiseworthy.

"The result of this combined movement was, that the two forts were captured with comparatively small loss, and that, in little more than half an hour after the order to advance was given, the British troops looked down on Canton within 100 paces of its walls.

"A strongly-intrenched camp of considerable extent, occupied apparently by about 4,000 men, lay to the north-east of the city upon rising ground, separated by a tract of paddy land from the base of the heights. Frequent attacks were made upon my left by bodies sent from this encampment, but were as frequently repulsed by the 49th. This, however, exposed the men to a heavy fire from the walls of the city.

"About two o'clock, perceiving that Mandarins of consequence were joining this force from the city, and had occupied a village in rear of my left, I directed the 49th to dislodge them. This was instantly effected in the same spirited manner that had marked every movement of this gallant corps. About three o'clock it was evident that some Mandarin of high rank had reached the encampment, (I have since understood that it was Yang, the Tartar general,) and that preparations were making for a fresh attack. I ordered down the 18th, therefore, with one company of the Royal Marines to reinforce the 49th, and directed Major-general Burrell to assume the command, to repel the projected attack, and instantly to follow up the enemy across a narrow causeway, the only approach, and take and destroy the encampment. This duty was well and gallantly performed, but I regret to say with rather severe loss, from the difficulty of approach, exposed

to a heavy fire from the guns and gingals on the north-east face of the city wall. The enemy were driven at all points, and fled across the country; the encampment was burnt, the magazines, of which there were several, blown up, and the permanent buildings of considerable extent set on fire.

"Having reconnoitred the walls and gates, I decided on taking the city by assault, or rather upon taking a strong fortified height of considerable extent within the city wall, before the panic ceased, but the hill in our rear being peculiarly rugged, and its base difficult of approach on account of the narrowness of the path, between wet paddy fields, I had only been enabled to get up a very few of the lightest pieces of ordnance and a small portion of ammunition. I therefore deemed it right to await the arrival of this necessary arm to make the assault.

"The following morning, the 26th, at ten o'clock, a flag of truce was hoisted on the walls, when I deputed Mr. Thom (whom Captain Elliot had sent to me as interpreter) to ascertain the cause. A Mandarin stated, that they wished for peace. I had it explained that, as General commanding the British, I would treat with none but the General commanding the Chinese troops; that we came before Canton much against the wishes of the British nation, but that repeated insults and breaches of faith had compelled us to make the present movement, and that I would cease from hostilities for two hours, to enable their General to meet me and Sir Le Fleming Senhouse, who kindly accompanied me throughout the whole operation, and to whose judicious arrangements and unceasing exertions for the furtherance of the united services, (and I am proud to say they are united in hand and heart,) I cannot too strongly express my sense of obligation. I further explained that Captain Elliot, her Majesty's Plenipotentiary, was with the advanced squadron to the south of the city, and that if I did not receive a communication from him, or had not a satisfactory interview with the General, I should, at the termination of the two hours, order the white flag to be struck.

"As the General did not make his appearance, although numerous messages were received between this time (about noon) and four P.M., I hauled down the white flag. The enemy, however, did not, which was rather convenient, as it enabled me to get up my guns and ammunition, without exposing my men to fire."

The attack, however, was not renewed, but various parleys took place between the Chinese authorities and Captain Elliot, who at last wrote to Sir H. Gough, requesting him to suspend hostilities, as he (Captain Elliot) was employed in a settlement of the difficulties upon the following conditions:—

1. The Imperial Commissioner and all the troops, other than those of the province, to quit the city within six days, and remove to a distance exceeding sixty miles.

2. 6,000,000 dollars to be paid in one week, for the use of the Crown of England; 1,000,000 dollars payable before to-morrow at sunset.

3. British troops to remain in their actual positions till the whole sum be paid. No additional preparations on either side; but all British troops and ships of war to return without the Bocca Tigris

as soon as the whole be paid. Quangtong also to be evacuated, but not to be re-armed by the Chinese Government till all the difficulties are adjusted between the two Governments.

4. The loss occasioned by the burning of the Spanish brig *Bilbaino*, and all losses occasioned by the destruction of the factories, to be paid within one week.

Upon this adjustment of the quarrel, the gallant General observes, "Whatever might be my sentiments, my duty was to acquiesce; the attack, which was to have commenced in forty-five minutes, was countermanded, and the feelings of the Chinese were spared. Of the policy of the measure I do not consider myself a competent judge; but I say 'feelings,' as I would have been responsible that Canton should be equally spared, with the exception of its defences, and that not a soldier should have entered the town further than the fortified heights within its walls."

The consequence was, that at noon on the 27th of May, the British flag was lowered in the four captured forts, and the troops and brigade of seamen (who had throughout behaved with their proverbial gallantry), marched out and returned to Tsing-hae. One circumstance connected with the discipline of the troops engaged in the attack on Canton deserves mention. The soldiers of the 49th, finding a quantity of a spirit called sham-shu in the village they had taken, without order or previous knowledge of their officers, brought the jars containing this pernicious liquor, and broke them in front of their corps, without the occurrence of a single case of intoxication.

The number of killed and wounded on the side of the British, amounted to, killed, 15; wounded, 112.

The public, however, had to mourn the loss of Sir Le Fleming Senhouse, who expired on the morning of the 14th of June, on board the Blenheim, in consequence of a violent fever, brought on by his great exertions and exposure to the sun during the operations against Canton. He was buried at Macao, according to his own request.

The 6,000,000 of dollars amounted to about 1,200,000*l.*, and of this Captain Elliot appropriated upwards of 66,000*l.* to reimburse those who had surrendered their opium-chests to him at the commencement of the disturbances. This payment was subsequently disallowed by the British Government, but we must defer further details until our next volume.

On the 18th of June, Sir Gordon Bremer again arrived at Macao, and it was immediately notified to the Chinese, that he was appointed joint-Plenipotentiary with Captain Elliot. However on the 9th of August, Sir Henry Pottinger, the new Plenipotentiary, reached the Canton waters, accompanied by Sir William Parker, who assumed the command of the fleet in the Chinese seas. Sir H. Pottinger immediately published a copy of his credentials, authorizing and empowering him "to negociate and conclude with the Minister vested with similar power and authority on the part of the Emperor of China, any treaty or agreement for the arrangement of the differences now subsisting between Great Britain and China." In a few days afterwards he issued a notification, in which, after stating his anxiety to promote the prosperity of all her Majesty's sub-

jects and other foreigners, he went on to say that it was his "first duty distinctly to intimate for general and individual information, that it was his intention to devote his undivided energies and thoughts to the primary object of securing a speedy and satisfactory close of the war; and that he therefore could allow no consideration connected with mercantile pursuits and other interests to interfere with the strong measures which he might find it necessary to authorize and adopt towards the Government and subjects of China, with a view to compelling an honourable and lasting peace." He then warned all her Majesty's subjects and foreigners against putting themselves in the power of the Chinese authorities during the anomalous and unsettled state of our relations with the Emperor. On the 17th of August Sir H. Pottinger embarked from Macao for Hongkong, whither Sir W. Parker had preceded him, and an expedition consisting of H.M.S. Wellesley, 72, with the flag of Rear-Admiral Sir W. Parker; *Blenheim*, 72; *Blonde*, 42; *Druid*, 44; *Modeste*, 18; *Cruizer*, 18; *Columbine*, 18; *Pylades*, 18; *Algerine*, 10; *Rattlesnake* troop-ship; and the East India Company's armed steamers *Sesostris*, *Nemesis*, *Queen*, and *Phlegethon*, accompanied by 21 transports, was despatched without delay to the northward.

The superseded plenipotentiary, Captain Elliot, left China on the 24th of August, and on the 26th of September he arrived at Bombay, accompanied by Sir Gordon Bremer.

TURKEY, SYRIA, AND EGYPT.—The events in the Levant, during this year, were of a far less exciting character than those which we have detailed in our last volume. Our narrative ended with stating that Admiral Stopford had refused to ratify the Convention made by Commodore Napier with the Pasha of Egypt, on the ground that that officer had exceeded his powers. On the 6th of December (1840) the Admiral transmitted to Mehemet Ali "the official authority from the British Government, in the name of the four Powers, to maintain your Highness in the Pashalic of Egypt, upon the conditions that within three days after communication made to you by Captain Fanshawe, you agree to restore the Turkish fleet to the Sultan and evacuate Syria." The Pasha, in reply to this, stated his sense of the forbearance shown to him, and said that he was anxious to act in the manner pointed out to him in the despatch. At the same time he enclosed a communication addressed by him to the Grand Vizier, in which he professes his entire submission to the wishes of the Allies in the following terms:

"Always disposed to make the sacrifice of all that I possess, and of my life itself, in order that I may obtain the good graces of his Highness, and recognizing that, by the intervention of the Allied Powers, the favour of my Sovereign is restored to me, I have made the necessary dispositions in order that the Ottoman fleet may be given up to such person and in such manner as it will please his Highness to order. The troops that were in Candia, in Arabia, and in the Holy Cities, are ready to retire; and their evacuation will take place without delay, as soon as the order of my Sovereign shall have reached me. As to Syria and Adana, I have learned,

by a letter from Ibrahim Pasha, dated the last days of the Ramadan, and which came to my hands overland, that he had quitted Damascus on the 3d or 4th of Cheval, with all the army, for the purpose of returning into Egypt. Syria is consequently wholly evacuated, and consequently my act of obedience is accomplished. These facts coming to the knowledge of your Excellency, I hope that in communicating them to our Sovereign and master you will intercede with his Highness, that he will restore to his confidence the oldest and most faithful of his servants."

The long-agitated question of the East was thus rapidly approaching a settlement, and on the 11th of January this year, Mehemet Ali gave up the whole of the Turkish fleet, which sailed away for Marmorice, under the command of the Turkish Admiral, Walker; and about the same time a firman was sent from Constantinople, whereby the Sultan accorded to the Pasha the hereditary possession of Egypt.

From some unexplained reason, however, this appears not to have been a final offer; for several firmans afterwards arrived in the month of February, by which the hereditary Pashalic of Egypt was bestowed on Mehemet Ali, upon certain conditions, the most obnoxious of which was, that whenever the Viceroy, for the time being, of Egypt died, the Sublime Porte was "to choose amongst his heirs him that shall suit it best, who will be called to Constantinople to receive the investiture." This condition was strenuously resisted by the Pasha; and it is obvious that a more impolitic one could not have been inserted. To make the succession depend upon the caprice of the Porte, would have opened a wide field to all those domestic crimes which have so long been the reproach of the ruling families of the East, and would indeed have rendered the boon which the Sultan professed to be bestowing upon his powerful vassal a mockery. Mehemet Ali appealed to the four European Powers which had taken so active a part in settling the affairs of the Levant, and the result was, that ultimately an amended firman was received in the month of June by the Pasha at Alexandria, by which the hereditary succession was guaranteed to his family without any interference on the part of the Porte. The claim of the Sultan to tribute was declared to be one-fourth of the gross revenues of Egypt; but this was to be compounded for by an annual payment of 2,000,000 dollars, besides about 2,000,000 dollars more of arrears. The Hatti Scheriff of Gulhanè, and the fundamental laws of the Turkish empire, were to be enforced in Egypt, subject to certain modifications adapted to the peculiar circumstances of that kingdom.

In the month of March some changes took place in the Ministry at Constantinople. Reschid Pasha, the Minister of Foreign Affairs, was deprived of office, and his place supplied by Rifaat Bey, formerly Ambassador from the Porte to the Court of Vienna. Also Fethi Achmet Pasha, the Minister of Commerce, was replaced by the Capitan Pasha, Said Pasha brother-in-law to the Sultan; and Tahir Pasha was appointed Capitan Pasha in his stead. The two latter, Said Pasha and Tahir Pasha, had both been Ministers under the late Sultan, and removed by him on the ground of incapacity; but

they were supposed to be favourable to an amicable adjustment of the quarrel with the Pasha of Egypt; and this was, in all probability, the chief reason of their being recalled to office.

Syria.—The following account of the state of Syria at this period was written by a British merchant resident in the country; and appeared in the English newspapers. It exhibits a melancholy picture of the effects of misrule, and shows how likely it is that before long some general attempt will be made to bring about a revolution, and throw off the yoke of Turkish tyranny altogether. The letter is dated

"*Aleppo, June 17th.*

"The Government of the country consists of Pashas and Defterdars. A Defterdar is a "book-keeper;" the office here is that of a Minister of Finance for a district. There are of course, besides these, Mutzilius (or governors) over every town. The Pashas and Defterdars have been supplied from Constantinople; the governors of towns are partly former governors, confirmed by the Sultan, and partly new men from Constantinople. The general character of the new rulers individually is duplicity and venality; that of the Government feebleness, irresolution, inactivity, faithlessness, and poverty. All over the country, access to the Pashas, and a favourable decision by them, is obtainable by presents of money to them, and by that means only. If a poor fellow who has supplied the Government with stores, gets an order on the local treasury, he must consent to allow the Defterdar to retain a percentage, or delay after delay is made, amounting almost to a distinct refusal of payment. The Customhouse-officers may be (and are) bribed to allow goods to pass at lower rates than those in the tariff; and in some cases, without entering them at all in the Customhouse-books, the officers take their present in kind, and the merchant takes them away without paying any duty. The Courts of the Cadi have become so dreadfully venal, that decisions are openly bought; and no man who will not buy the Judge's favour need go to his Court. In cases where disputes have been carried to the Pashas by the English and other Consuls, the most profligate violation of promises and rights is made without shame or fear.

"The feebleness of the Government is seen in the state of Mount Lebanon, many of the Southern districts and all the Northern. The Christian population of Lebanon make no secret of their contempt for the Sultan's authority, and dictate to him the terms on which they will remain at peace, as if they were an independent and more powerful state. The promises and power of the Allies have been able as yet to retard revolution, but there has been for the last three months constant and immediate anticipation of a violent demonstration. The roads in the districts of Naplous and Jerusalem are insecure, from the presence of old marauders whom Ibrahim Pasha effectually kept down.

"In the North, disturbances of a tedious sort took place at Orfa; and the Arabs, from Hamah to the Taurus, and from Aleppo to the Euphrates, are at enmity with the Government, and command the country. So bold are they, that they were lately encamped within sight of the walls of Aleppo, and nothing was done to

disperse or even check them. The English Consul has been endeavouring to *arrange* with them; and thus the Government is in such a position, that, through the representative of another power, it has to treat with the chiefs of robbers, who laugh at its pretended authority. As you may imagine, the roads are nearly all unsafe, and robberies are common. The worst is, that these arrangements are defeated by the Government continually changing its views, and acting with bad faith to the Arabs in the face of agreements. The poverty of the Government is so great that no one will trust it unless compelled; and the British Commissary has been employed for some time at Beyrout drawing money to supply its wants. The only improvements that have been made since the occupation of the country are at Beyrout and Acre; and they are made not only at Great Britain's cost, but chiefly with British hands. The effect of all this on the people is deep discontent and contempt. No respect is paid to the Government; and complaints are made by all. Relief has been obtained certainly from the conscription of the Pasha of Egypt, and from some grinding taxes in oppressed localities. The friends of Mehemet Ali cannot deny that the happiness of many of the poorer classes has been increased by the absence of his vigorous Government, which endeavoured to find resources in the country although at the expense of ruining considerable portions of its rural population, and inflicting great hardship on those liable to serve in the army. These evils have been removed, however, by removing all Government, and reducing the country to a state approaching to anarchy; which, if permitted to continue, will more surely ruin the country. The partial sufferings under Ibrahim Pasha were very apparent, and probably magnified by interested parties: the mischief doing now is far more general, and strikes at the root of civilization and prosperity, though it may exhibit fewer cases of individual misery. This is so evident to every one looking at passing events in this country, that there are no remarks so commonly made by the British officers, as that, 'We have unfortunately removed all Government from this country,' and 'This state of things cannot last.'

"The European influences now exerted in this country are that of 'the Allies,' represented by the British officers and Consuls, and that of France, aided more secretly by Russia, which latter influence is directed by the Consuls of these two Powers, through the instrumentality of spies and the Christian clergy. The British influence is employed in pacifying the excited mountaineers of Lebanon, treating with the Arabs, and interfering with the Government in all quarters, to prevent its making, as the Levantines say, '*Cativa figura.*' Indeed, the Government only shows energy under the immediate and severe pressure of this influence; and wherever its abuses are controlled, it is by strong direct interference of the British officers or Consuls. The Consuls are few, and, with one or two exceptions, feeble, and not well-disposed to British interests. One favours Greeks and another Frenchmen; and they act as if sent here rather for the interest of strangers than of British merchants, whose

interests they neglect or injure. The military and naval officers are very different men. They exert themselves openly and firmly against abuses. The military officers are located over the whole country, which is divided into districts. One is at Aleppo, one at Tripoli, &c. At Beyrout are their head-quarters, where they have improved many parts of the town, and are beginning on the neighbourhood. They are also fortifying Acre. Never had the Sultan such bountiful Allies. His subjects consider them as their rulers at present *de facto*, soon to be so *de jure*. 'May God send more of you!' is a common salutation when an Englishman meets a traveller on the road.

"The French influence employs the native priesthood of the Maronites (and a large importation of Jesuits have recently arrived to their aid) to influence the minds of the people against Great Britain. Over these people they have the most complete control; and consequently the Maronites are all in favour of France and against Great Britain. The Druses alone favour us, and it is probable they may soon formally adopt the Protestant religion and claim British protection. They amount to about one-third of the population of Lebanon. The Russian influence is employed in the same way with the Greek Christians, though not with so successful a result. But the fact that Russia also acts against British views, greatly strengthens the power acquired by France in the mountains.

CHAPTER XIII.

UNITED STATES AND CANADA.—*Message of President (Mr. Van Buren) to Congress—Discussion in the Senate relative to the state of affairs between Great Britain and America—General Harrison inducted into the Presidency—Inaugural Address—Sudden death of General Harrison—Mr. Tyler, (Vice-President) becomes President —He issues an Address—Meeting of Congress at Washington—Election of Speaker—Message of President—Affair of the Steamboat Caroline—Seizure, in the American territory, of M'Leod, a British subject—Correspondence between Mr. Fox and Mr. Forsyth on the subject—Discussion in the House of Representatives—Proceedings in the case of M'Leod—Outrageous acts of the mob at Lockport—Warlike tone of Report presented to the House of Representatives on the subject of the seizure of M'Leod—It denounces the ambitious and aggressive policy of Great Britain—Discussion thereupon—Question of Fortifying the Frontiers of the Union—Official note sent by Mr. Fox to Mr. Webster (the American Foreign Secretary)—Question of jurisdiction in the case of M'Leod—Judgment of Supreme Court on the subject—Trial of M'Leod at Utica—His acquittal—Seizure in Canada of an American citizen—He is set at liberty—Bill introduced into Congress for the establishment of a National Bank—The President exercises his right of veto—Resignation of the Ministry in consequence—Formation of a new Cabinet—Secret Societies called "Hunter's Lodges," along the Northern frontier—Proclamation issued by the President against them—General Scott a candidate for the office of President—Question of right of search.*—CANADA—*Union of the two Provinces carried into effect—Proclamation by the Governor, Lord Sydenham—General Election—Speech of the Governor at the opening of the Session—Address carried—Painful illness and death of Lord Sydenham.*

ON the 9th of January, the Message of the President (Mr. Van Buren) was delivered to Congress. In this he congratulated his countrymen upon the possession of the "invaluable blessings of health, peace, and plenty," and announced, that with respect to foreign states, the relations of the American Government with all the powers of the world were those of honourable peace;—but warned them that they must be prepared to maintain a defended neutrality in "the shock of empires." With regard to the question of the North-eastern Boundary the President said,

"The excitement which grew out of the territorial controversy between the United States and Great Britain having in a great

measure subsided, it is hoped that a favourable period is approaching for its final settlement. Both Governments must now be convinced of the dangers with which the question is fraught; and it must be their desire, as it is their interest, that this perpetual cause of irritation should be removed as speedily as practicable. In my last annual message you were informed, that the proposition for a commission of exploration and survey promised by Great Britain had been received, and that a counter-project, including also a provision for the certain and final adjustment of the limits in dispute, was then before the British Government for its consideration. The answer of that Government, accompanied by additional propositions of its own, was received, through its Minister here, since your separation. These were promptly considered: such as were deemed correct in principle, and consistent with a due regard to the just rights of the United States and of the State of Maine, concurred in; and the reasons for dissenting from the residue, with an additional suggestion on our part, communicated by the minister at Washington, that early steps should be taken to adjust the points of difference on the line of boundary from the entrance of Lake Superior to the most North-western point of the Lake of the Woods, by the arbitration of a friendly power, in conformity with the seventh article of the treaty of Ghent. No answer has yet been returned by the British Government to this proposition."

On the subject of the Texan boundary he said.

"The Commissioners appointed in pursuance of the convention between the United States and Texas, for marking the boundary between them, have, according to the last report received from our commissioner, surveyed and established the whole extent of the boundary North along the Western bank of the Sabine river, from its entrance into the Gulf of Mexico to the 32nd degree of North latitude. The commission adjourned on the 16th of June last, to reassemble on the 1st of November, for the purpose of establishing accurately the intersection of the 32nd degree of latitude with the Western bank of the Sabine, and the meridian line thence to Red River. It is presumed that the work will be concluded in the present season."

The President referred at considerable length to the financial condition of the country, giving a brief recapitulation of its fiscal history during his term of service. Every demand upon the Government, he observed had been promptly met. Notwithstanding reductions in taxation and deficiencies arising from private commercial embarrassments, the amount of Treasury notes outstanding was only 4,500,000 dollars — less by 23,000,000 dollars than the United States had in deposit with the States. He had somewhat reduced the expenditure in 1838; in 1839 it was reduced by six millions; and the expenditure of 1840, exclusive of disbursements for public debt and trust claims, would probably not exceed twenty-two and a half millions. Two of the heaviest charges upon the treasury were the removal of the Indians and the pension-list: the former was nearly completed, more than 40,000 Indians having been removed to the West of the Missis-

sippi since the spring of 1837; and the pension-list was rapidly diminishing by death. The President entered into a long vindication of his own financial policy, and, in the course of some remarks condemnatory of a national debt, said,

"Among the many objections to a national debt, the certain tendency of public securities to concentrate ultimately in the coffers of foreign stockholders is one which is every day gathering strength. Already have the resources of many of the States, and the future industry of their citizens, been indefinitely mortgaged to the subjects of European Governments, to the amount of twelve millions annually to pay the constantly-accruing interest on borrowed money—a sum exceeding half the ordinary revenue of the whole United States. The pretence which this relation affords to foreigners to scrutinize the management of our domestic affairs, if not actually to intermeddle with them, presents a subject for earnest attention, not to say of serious alarm. Fortunately, the Federal Government, with the exception of an obligation entered into in behalf of the district of Columbia, which must soon be discharged, is wholly exempt from any such embarrassment. It is also, as is believed the only government which, having fully and faithfully paid all its creditors, has also relieved itself entirely from debt. To maintain a distinction so desirable and so honourable to our national character, should be an object of earnest solicitude."

The Message closed with recommending new measures against the African Slave-trade. The President said that the commanders of the brig *Dolphin* and schooner *Grampus*, who had been employed during last season in cruising on the coast of Africa, and had been again despatched on a similar service, stated, that the trade was now principally carried on under Portuguese colours; the presence of armed American vessels on the coast having, "in a great degree, arrested the prostitution of the American flag to this inhuman purpose."—

"The efforts of the several Governments who are anxiously seeking to suppress this traffic, must, however, be directed against the facilities afforded by what are now recognized as legitimate commercial pursuits, before that object can be fully accomplished. Supplies of provisions, water-casks, merchandise, and articles connected with the prosecution of the Slave-trade, are, it is understood, freely carried by vessels of different nations to the slave-factories; and the effects of the factors are transported openly from one slave station to another, without intermission of punishment by either of the nations to which they belong, engaged in the commerce of that region. I submit to your judgments whether this Government, having been the first to prohibit, by adequate penalties, the Slave-trade—the first to declare it piracy—should not be the first also to forbid to its citizens all trade with the slave-factories on the coast of Africa; giving an example to all nations in this respect, which, if fairly followed, cannot fail to produce the most effective results in breaking up these dens of iniquity."

The relations of the United States with Great Britain were brought under the consideration of

the Senate on the 1st of March. Mr. Buchanan said, that he had been instructed by the Committee on Foreign Relations to move to be discharged from the consideration of the resolution which had been referred to that committee, "requesting the President to communicate to the Senate, if not incompatible with the public interest, any correspondence which may have taken place between the Government and that of Great Britain relative to the North-eastern boundary not heretofore communicated to the Senate." He then proceeded to state the reasons which had induced the committee to believe, that it would be inexpedient, at the present moment, to publish the correspondence to which the resolution referred. With respect to the boundary question, the two Governments had, he said, already agreed upon the essential points of a convention based on mutually recognised principles, and alike advantageous and honourable to both. If it were the sincere desire of both parties, as he believed it was, to arrive at an amicable conclusion, the negotiation must soon be successfully terminated. His official position in the Senate had afforded him free access to all the correspondence. He had examined it with care, and would now frankly state the impression which it had made on his mind. Although he could not pretend to say that there were no omens of war in the conduct of the British Government on the Northern frontier, yet this he should assert, with much confidence, that in the negotiation relative to the North-eastern boundary, nothing had occurred inconsistent with the sincere and anxious desire which had always been professed by that Government to preserve the peace which now so happily subsisted between the two countries, and to bring the question to a final and satisfactory conclusion. Mr. Buchanan, in conclusion, declared that there was no foundation for the rumour which prevailed that there had been an angry correspondence between the British Minister and the Secretary of State since the date of the last correspondence before the public. It was true, that since that time a single note, bearing upon that subject, had been addressed by Mr. Fox to Mr. Forsyth, which the latter had answered; but this note and answer were of so little importance, that he (Mr. Buchanan) did not deem it necessary to call for their publication, and their tone was far from being of an angry character. Mr. Clay followed Mr. Buchanan, and after enumerating the points in dispute between the United States and England—the boundary, the affair of the Caroline, the case of M'Leod, and certain seizures on the coast of Africa—gave it as his decided opinion, that the state of the differences between the two countries was not such as to require a special Minister. The Minister resident in London would be able to do all that would be necessary in the premises without difficulty, and, he thought, without delay. "I have not yet begun," he said, "to think of the possibility of any immediate war with Great Britain: that time has not arrived yet. But, however distant it may be, I would relax no effort to place the country in such a state of defence as would prepare it to meet any possible exigency that might arise." Mr. Clay, in conclusion, expressed his belief that both Governments

desired peace; that it was essential to the interests of each; and that, if war did come, it would not be from the will of the Governments, but from collateral causes, over which they had no control. The committee was then discharged, according to the motion of Mr. Buchanan.

On the 2nd of March the Session of Congress closed, and on the 4th General Harrison was inducted into the Presidency with the usual ceremonies observed at the Installation. His inaugural address is a very lengthy document, from which we select the following passages as most likely to interest our readers.—

"Called from a retirement which I had supposed was to continue for the residue of my life, to fill the chief executive office of this great and free nation, I appear before you, fellow-citizens, to take the oath which the constitution prescribes as a necessary qualification for the performance of its duties. And, in obedience to a custom coeval with our Government, and what I believe to be your expectations, I proceed to present to you a summary of the principles which will govern me in the discharge of the duties which I shall be called upon to perform.

"The broad foundation upon which our constitution rests being the people—a breath of theirs having made, as a breath can unmake, change, or modify it—it can be assigned to none of the great divisions of Government but to that of democracy. If such is its theory, those who are called upon to administer it must recognise, as its leading principle, the duty of shaping their measures so as to produce the greatest good to the greatest number. But, with these broad admissions, if we would compare the sovereignty acknowledged to exist in the mass of our people with the power claimed by other sovereignties, even by those which have been considered most purely democratic, we shall find a most essential difference. All others lay claim to power limited only by their own will. The majority of our citizens, on the contrary, possess a sovereignty with an amount of power precisely equal to that which has been granted to them by the parties to the national compact, and nothing beyond. We admit of no government by Divine right, believing that, so far as the power is concerned, the beneficent Creator has made no distinction amongst men, that all are upon an equality, and that the only legitimate right to govern is an express grant of power from the governed. The constitution of the United States is the instrument containing this grant of power to the several departments composing the Government. On an examination of that instrument, it will be found to contain declarations of power granted and of power withheld. The latter is also susceptible of division into power which the majority had the right to grant, but which they did not think proper to intrust to their agents, and that which they could not have granted, not being possessed by themselves. In other words, there are certain rights possessed by each individual American citizen which, in his compact with the others, he has never surrendered. Some of them, indeed, he is unable to surrender, being, in the language of our system, unalienable.

"But the great danger to our institutions does not appear to me to be in a usurpation, by the Go-

vernment, of power not granted by the people, but by the accumulation, in one of the departments, of that which was assigned to others. Limited as are the powers which have been granted, still enough have been granted to constitute a despotism, if concentrated in one of the departments. This danger is greatly heightened, as it has been always observable that men are less jealous of encroachments of one department upon another, than upon their own reserved rights.

"When the constitution of the United States first came from the hands of the convention which formed it, many of the sternest republicans of the day were alarmed at the extent of the power which had been granted to the Federal Government, and more particularly of that portion which had been assigned to the Executive branch. There were in it features which appeared not to be in harmony with their simple representative, democracy or republic. And, knowing the tendency of power to increase itself, particularly when exercised by a single individual, predictions were made, that, at no very remote period, the Government would terminate in virtual monarchy. It would not become me to say that the fears of these patriots have been already realized. But, as I sincerely believe that the tendency of measures, and of men's opinions, for some years past, has been in that direction, it is, I conceive, strictly proper that I should take this occasion to repeat the assurances I have heretofore given of my determination to arrest the progress of that tendency, if it really exists, and restore the Government to its pristine health and vigour, as far as this can be effected by any legitimate exercise of the power placed in my hands.

Of the former is the eligibility of the same individual to a second term of the Presidency. The sagacious mind of Mr. Jefferson early saw and lamented this error, and attempts have been made, hitherto without success, to apply the amendatory power of the States to its correction.

"As, however, one mode of correction is in the power of every President, and consequently in mine, it would be useless, and perhaps invidious, to enumerate the evils of which, in the opinion of many of our fellow-citizens, this error of the sages who framed the Constitution may have been the source, and the bitter fruits which we are still to gather from it, if it continues to disfigure our system. It may be observed, however, as a general remark, that republicans can commit no greater error than to adopt or continue any feature in their systems of government which may be calculated to create or increase the love of power in the bosoms of those to whom necessity obliges them to commit the management of their affairs. And, surely, nothing is more likely to produce such a state of mind than the long continuance of an office of high trust. Nothing can be more corrupting, nothing more destructive of all those noble feelings which belong to the character of a devoted Republican patriot. When this corrupting passion once take possession of the human mind, like the love of gold, it becomes insatiable. It is the never-dying worm in his bosom, grows with hi growth, and strengthens with the declining years of its victim. If this is true, it is the part of wisdom for a Republic to limit the service

of that officer, at least, to whom she has intrusted the management of her foreign relations, the execution of her laws, and the command of her armies and navies to a period so short as to prevent his forgetting that he is the accountable agent, not the principal—the servant, not the master. Until an amendment of the Constitution can be effected, public opinion may secure the desired object. I give my aid to it by renewing the pledge heretofore given, that, under no circumstances, will I consent to serve a second term.

"I cannot conceive that, by a fair construction, any or either of its provisions would be found to constitute the President a part of the legislative power. It cannot be claimed from the power to recommend, since although enjoined as a duty upon him, it is a privilege which he holds in common with every other citizen; and, although there may be something more of confidence in the propriety of the measures recommended in the one case than in the other, in the obligations of ultimate decision there can be no difference. In the language of the Constitution, "all the legislative powers" which it grants "are vested in the Congress of the United States." It would be a solecism in language to say, that any portion of these is not included in the whole.

"The negative upon the acts of the Legislative by the Executive authority, and that in the hands of one individual, would seem to be an incongruity in our system. Like some others of a similar character, however, it appears to be highly expedient; and, if used only with the forbearance, and in the spirit which was intended by its authors, it may be productive of great good, and be found one of the safeguards to the Union. And it is preposterous to suppose that a thought could for a moment have been entertained, that the President, placed at the capital, in the centre of the country, could better understand the wants and wishes of the people than their own immediate representatives, who spend a part of every year among them, living with them, often labouring with them, and bound to them by the triple tie of interest, duty, and affection. To assist or control Congress, then, in its ordinary legislation, could not, I conceive, have been the motive for conferring the veto power on the President. This argument acquires additional force from the fact of its never having been used by the first six Presidents, and two of them were members of the Convention, one presiding over its deliberations, and the other having a larger share in consummating the labours of that august body than any other person. But if bills were never returned to Congress by either of the Presidents above referred to, upon the ground of their being inexpedient, or not as well adapted as they might be to the wants of the people, the veto was applied upon that of want of conformity to the Constitution, or because errors had been committed from a too hasty enactment.

"Upwards of half a century has elapsed since the adoption of our present form of Government. It would be an object more highly desirable than the gratification of the curiosity of speculative statesmen, if its precise situation could be ascertained, a fair exhibition made of the operations of each of its departments, of the powers which they respectively claim and

occupy, of the collisions which have occurred between them, or between the whole Government and those of the States, or either of them. We could then compare our actual condition, after fifty years' trial of our system, with what it was in the commencement of its operations, and ascertain whether the predictions of the patriots who opposed its adoption, or the confident hopes of its advocates, have been best realized. The great dread of the former seems to have been, that the reserved powers of the States would be absorbed by those of the Federal Government, and a consolidated power established, leaving to the States the shadow only of that independent action for which they had so zealously contended, and on the preservation of which they relied as the last hope of liberty. Without denying, that the result to which they looked with so much apprehension is in the way of being realized, it is obvious that they did not clearly see the mode of its accomplishment. The General Government has seized upon none of the reserved rights of the States. As far as any open warfare may have gone, the state authorities have amply maintained their rights. To a casual observer, our system presents no appearance of discord between the different members which compose it. Even the addition of many new ones has produced no jarring. They move in their respective orbits in perfect harmony with the central head, and with each other. But there is still an under-current at work, by which, if not seasonably checked, the worst apprehensions of our anti-federal patriots will be realized. And not only will the state authorities be overshadowed by the great increase of power in the Executive Department of the General Government, but the character of that Government, if not its designation, be essentially and radically changed. This state of things has been in part effected by causes inherent in the Constitution, and, in part, by the never-failing tendency of political power to increase itself. By making the President the sole distributor of all the patronage of the Government, the framers of the Constitution do not appear to have anticipated at how short a period it would become a formidable instrument to control the free operations of the state governments. Of trifling importance at first, it had, early in Mr. Jefferson's Administration, become so powerful as to create great alarm in the mind of that patriot, from the potent influence it might exert in controlling the freedom of the elective franchise. If such could have then been the effects of its influence, how much greater must be the danger at this time, quadrupled in amount, as it certainly is, and more completely under the control of the Executive will than their construction of their powers allowed, or the forbearing characters of all the early Presidents permitted them to make? But it is not by the extent of its patronage alone that the Executive department has become dangerous, but by the use which, it appears, may be made of the appointing power to bring under its control the whole revenues of the country. The Constitution has declared it to be the duty of the President to see that the laws are executed, and it makes him the commander-in-chief of the armies and navy of the United States. If the opinion of the most approved writers upon that

speices of mixed government which, in modern Europe, is termed 'Monarchy,' in contradistinction to despotism, is correct, there was wanting no other addition to the powers of our Chief Magistrate to stamp a monarchical character on our government but the control of the public finances. And to me it appears strange indeed, that any one should doubt that the entire control which the President possesses over the officers who have the custody of the public money, by the power of removal with or without cause, does, for all mischievous purposes at least, virtually subject the treasure also to his disposal. The first Roman emperor, in his attempt to seize the sacred treasure, silenced the opposition of the officers to whose charge it had been committed, by a significant allusion to his sword. By a selection of political instruments for the care of public money, a reference to their commissions, by a President, would be quite as effectual an argument as that of Cæsar to the Roman knight. I am not insensible of the great difficulty that exists in devising a proper plan for the safe keeping and disbursement of the public revenues, and I know the importance which has been attached by men of great abilities and patriotism to the divorce, as it is called, of the Treasury from the banking institutions. It is not the divorce which is complained of, but the unhallowed union of the Treasury with the Executive Department which has created such extensive alarm. To this danger to our republican institutions, and that created by the influence given to the Executive through the instrumentality of the federal officers, I propose to apply all the remedies which may be at my command. It was certainly a great error in the framers of the constitution not to have made the officer at the head of the Treasury Department entirely independent of the Executive. He should, at least, have been removable only upon the demand of the popular branch of the Legislature. I have determined never to remove a Secretary of the Treasury without communicating all the circumstances attending such removal to both Houses of Congress. The influence of the Executive in controlling the freedom of the elective franchise through the medium of the public officers can be effectually checked by renewing the prohibition published by Mr. Jefferson, forbidding their interference in elections further than giving their own votes; and their own independence secured, by an assurance of perfect immunity in exercising this sacred privilege of freemen under the dictates of their own unbiassed judgments. Never, with my consent, shall an officer of the people, compensated for his services out of their pockets, become the pliant instrument of Executive will.

"Upon another occasion I have given my opinion, at some length upon the impropriety of Executive interference in the legislation of Congress. That the article in the constitution making it the duty of the President to communicate information, and authorizing him to recommend measures, was not intended to make him the source of legislation, and, in particular, that he should never be looked to for schemes of finance. It would be very strange, indeed, that the constitution should have strictly forbidden the one branch of the legislature from interfering in the origination of such bills, and that it should be

considered proper that an altogether different department of the Government should be permitted to do so. Some of our best political maxims and opinions have been drawn from our parent isle. There are others, however, which cannot be introduced in our system without singular incongruity and the production of much mischief. And this I conceive to be one. The Senate, in relation to revenue bills, has the right to propose amendments, and so has the Executive, by the power given him to return them to the House of Representatives with his objections. It is in his power, also, to propose amendments in the existing revenue laws, suggested by his observations upon their defective or injurious operation. But the delicate duty of devising schemes of revenue should be left where the constitution has placed it—with the immediate representatives of the people. For similar reasons, the mode of keeping the public treasure should be prescribed by them; and the further removed it may be from the control of the Executive, the more wholesome the arrangement, and the more in accordance with republican principle.

"Connected with this subject is the character of the currency. The idea of making it exclusively metallic, however well intended, appears to me to be fraught with more fatal consequences than any other scheme, having no relation to the personal rights of the citizens, that has ever been devised. If any single scheme could produce the effect of arresting at once that mutation of condition by which thousands of our most indigent fellow-citizens, by their industry and enterprise, are raised to the possession of wealth, that is the one. If there is one measure better calculated than another to produce that state of things so much deprecated by all true Republicans, by which the rich are daily adding to their hoards, and the poor sinking deeper into penury, it is an exclusive metallic currency. Or, if there is a process by which the character of the country for generosity and nobleness of feeling may be destroyed by the great increase and necessary toleration of usury, it is an exclusive metallic currency.

"Amongst the other duties of a delicate character which the President is called upon to perform, is the supervision of the government of the territories of the United States. Those of them which are destined to become members of our great political family are compensated, by their rapid progress from infancy to manhood for the partial and temporary deprivation of their political rights. It is in this district only, where American citizens are to be found, who, under a settled system of policy, are deprived of many important political privileges, without any inspiring hope as to the future. Their only consolation, under the circumstances of such deprivation, is that of the devoted exterior guards of a camp, that their sufferings secure tranquillity and safety within. Are there any of their countrymen who would subject them to greater sacrifices, to any other humiliations, than those essentially necessary to the security of the object for which they were separated from their fellow-citizens? Are their rights alone not to be guaranteed by the application of those principles upon which all our institutions are founded? We are told by the greatest of British orators and statesmen, that at the commence-

ment of the war of the Revolution the most stupid men in England spoke of 'their American subjects.' Are there, indeed, citizens of any of our states who have dreamed of their subjects in the district of Columbia? Such dreams can never be realized by any agency of mine.

"The people of the district of Columbia are not the subjects of the people of the States, but free American citizens. Being in the latter condition when the constitution was formed, no words used in that instrument could have been intended to deprive them of that character. If there is any thing in the great principles of inalienable rights so emphatically insisted upon in our declaration of independence, they could neither make, nor the United States accept, a surrender of their liberties, and become the subjects, in other words the slaves, of their former fellow-citizens. If this be true, and it will scarcely be denied by any one who has a correct idea of his own rights as an American citizen, the grant to Congress of exclusive jurisdiction in the district of Columbia can be interpreted, as far as respects the aggregate people of the United States, as meaning nothing more than to allow to Congress the controlling power necessary to afford a free and safe exercise of the functions assigned to the General Government by the constitution. In all other respects the legislation of Congress should be adapted to their peculiar position and wants, and be conformable with their deliberate opinions of their own interests.

"I have spoken of the necessity of keeping the respective departments of the Government, as well as all the other authorities of our country, within their appropriate orbits. This is a matter of difficulty in some cases, as the powers which they respectively claim are often not defined by very distinct lines. Mischievous, however, in their tendencies, as collisions of this kind may be, those which arise between the respective communities, which for certain purposes compose one nation, are much more so; for no such nation can long exist without the careful culture of those feelings of confidence and affection which are the effective bonds of union between free and confederated States. Strong as is the tie of interest, it has been often ineffectual. Men, blinded by their passions, have been known to adopt measures for their country in direct opposition to all the suggestions of policy. The alternative, then, is, to destroy or keep down a bad passion by creating and fostering a good one: and this seems to be the corner-stone upon which our American political architects have reared the fabric of our Government.

"The cement which was to bind it, and perpetuate its existence was the affectionate attachment between all its members. To insure the continuance of this feeling, produced at first by a community of dangers, of sufferings, and of interests, the advantages of each were made accessible to all. No participation in any good, possessed by any member of an extensive confederacy, except in domestic government, was withheld from the citizen of any other member. By a process attended with no difficulty, no delay, no expense but that of removal, the citizen of one might become the citizen of any other, and successively of the whole. The lines, too, separating powers to be exercised by the citizens of one from those of another,

seem to be so distinctly drawn as to leave no room for misunderstanding. The citizens of each State unite in their persons all the privileges which that character confers, and all that they may claim as citizens of the United States; but in no case can the same person, at the same time, act as the citizen of two separate states, and he is therefore positively precluded from any interference with the reserved powers of any state but that of which he is, for the time being, a citizen. He may, indeed, offer to the citizens of other states his advice as to their management, and the form in which it is tendered is left to his own discretion and sense of propriety.

"It may be observed, however, that organized associations of citizens, requiring compliance with their wishes, too much resemble the recommendation of Athens to her allies, supported by an armed and powerful fleet. It was, indeed, to the ambition of the leading states of Greece to control the domestic concerns of the others that the destruction of that celebrated confederacy, and subsequently of all its members, is mainly to be attributed; and it is owing to the absence of that spirit that the Helvetic confederacy has, for so many years, been preserved. Never has there been seen, in the institutions of the separate members of any confederacy, more elements of discord. In the principles and forms of government and religion, as well as in the circumstances of the several cantons, so marked a discrepancy was observable as to promise anything but harmony in their intercourse, or permanancy in their alliance; and yet, for ages, neither have been interrupted. Content with the positive benefits which their union produced, with the independence and safety from foreign aggressions which it secured, these sagacious people respected the institutions of each other, however repugnant to their own principles and prejudices.

"Our confederacy, fellow-citizens, can only be preserved by the same forbearance. Our citizens must be content with the exercise of powers with which the constitution clothes them. The attempt of those of one state to control the domestic institutions of another can only result in feelings of distrust and jealousy, the certain harbingers of disunion, violence, civil war, and the ultimate destruction of our free institutions. Our confederacy is perfectly illustrated by the terms and principles governing a common copartnership. There a fund of power is to be exercised under the direction of the joint councils of the allied members, but that which has been reserved by the individual members is intangible by the common Government or the individual members composing it. To attempt it finds no support in the principles of our constitution. It should be our constant and earnest endeavour mutually to cultivate a spirit of concord and harmony among the various parts of our confederacy. Experience has abundantly taught us that the agitation by citizens of one part of the Union of a subject not confided to the General Government, but exclusively under the guardianship of the local authorities, is productive of no other consequences than bitterness, alienation, discord, and injury to the very cause which is intended to be advanced. Of all the great interests which appertain to our country, that of union, cor-

dial, confiding, fraternal union, is by far the most important, since it is the only true and sure guarantee of all others.

"In consequence of the embarrassed state of business and the currency, some of the states may meet with difficulty in the financial concerns. However deeply we may regret anything imprudent or excessive in the engagements into which states have entered for purposes of their own, it does not become us to disparage the state Governments, nor to discourage them from making proper efforts for their own relief; on the contrary, it is our duty to encourage them, to the extent of our constitutional authority, to apply their best means, and cheerfully to make all necessary sacrifices and submit to all necessary burdens to fulfil their engagements and maintain their credit; for the character and credit of the several states form part of the character and credit of the whole country. The resources of the country are abundant; the enterprise and activity of our people proverbial; and we may well hope, that wise legislation and prudent administration, by the respective Governments, each acting within its own sphere, will restore the former prosperity.

"Unpleasant and even dangerous as collisions may sometimes be, between the constituted authorities and the citizens of our country, in relation to the lines which separate their respective jurisdictions, the results can be of no vital injury to our institutions, if that ardent patriotism, that devoted attachment to liberty, that spirit of moderation and forbearance, for which our countrymen were once distinguished, continue to be cherished. If this continues to be the ruling passion of our souls, the weaker feelings of the enthusiast will be corrected, the Utopian dreams of the scheming politician dissipated, and the complicated intrigues of the demagogue rendered harmless. The spirit of liberty is the sovereign balm for every injury which our institutions may receive. On the contrary, no care that can be used in the construction of our government, no division of power, no distribution of checks in its several departments, will prove effectual to keep us a free people, if this spirit is suffered to decay; and decay it will, without constant nurture. To the neglect of this duty the best historians agree in attributing the ruin of all the republics with whose existence and fall their writings have made us acquainted. The same causes will ever produce the same effects; and, as long as the love of power is a dominant passion of the human bosom, and as long as the understandings of men can be warped and their affections changed by operations upon their passions and prejudices, so long will the liberty of a people depend on their own constant attention to its preservation. The danger to all well-established free governments arises from the unwillingness of the people to believe in its existence, or from the influence of designing men diverting their attention from the quarter whence it approaches to a source whence it can never come. This is the old trick of those who would usurp the government of their country. In the name of democracy they speak, warning the people against the influence of wealth and the danger of aristocracy. History, ancient and modern, is full of such examples. Cæsar became the master

of the Roman people and the Senate, under the pretence of supporting the democratic claims of the former against the aristocracy of the latter; Cromwell, in the character of Protector of the liberties of the people, became the dictator of England; and Bolivar possessed himself of unlimited power, with the title of his country's liberator. There is, on the contrary, no single instance on record of an extensive and well-established republic being changed into an aristocracy. The tendencies of such governments in decline is to monarchy; and the antagonist principle to liberty there is the spirit of faction—a spirit which assumes the character, and, in times of great excitement, imposes itself upon the people as the genuine spirit of freedom, and, like the false Christs whose coming was foretold by the Saviour, seeks to, and, were it possible, would impose upon the true and most faithful disciples of liberty. It is in periods like this that it behoves the people to be most watchful of those to whom they have intrusted power. And, although there is, at times, much difficulty in distinguishing the false from the true spirit, a calm and dispassionate investigation will detect the counterfeit as well by the character of its operations as the results that are produced. The true spirit of liberty, although devoted, persevering, bold, and uncompromising in principle, that secured, is mild and tolerant, and scrupulous as to the means it employs; whilst the spirit of party, assuming to be that of liberty, is harsh, vindictive, and intolerant, and totally reckless as to the character of the allies which it brings to the aid of its cause. When the genuine spirit of liberty animates the body of a people to a thorough examination of their affairs, it leads to the excision of every excrescence which may have fastened itself upon any of the departments of the government, and restores the system to its pristine health and beauty. But the reign of an intolerant spirit of party amongst a free people seldom fails to result in a dangerous accession to the executive power, introduced and established amidst unusual professions of devotion to democracy.

"The foregoing remarks relate almost exclusively to matters connected with our domestic concerns. It may be proper, however, that I should give some indications to my fellow-citizens of my proposed course of conduct in the management of our foreign relations. I assure them, therefore, that it is my intention to use every means in my power to preserve the friendly intercourse which now so happily subsists with every foreign nation; and that, although, of course, not well informed as to the state of any pending negotiations with any of them, I see in the personal characters of the Sovereigns, as well as in the mutual interests of our own and of the Governments with which our relations are most intimate, a pleasing guarantee that the harmony so important to the interests of their subjects, as well as our citizens, will not be interrupted by the advancement of any claim or pretension upon their part to which our honour would not permit us to yield. Long the defender of my country's rights in the field, I trust that my fellow-citizens will not see in my earnest desire to preserve peace with foreign Powers any indication that

their rights will ever be sacrificed, or the honour of the nation tarnished by any admission, on the part of their chief magistrate, unworthy of their former glory.

"In our intercourse with our aboriginal neighbours, the same liberality and justice which marked the course prescribed to me by two of my illustrious predecessors, when acting under their directions in the discharge of the duties of Superintendent and Commissioner, shall be strictly observed. I can conceive of no more sublime spectacle, none more likely to propitiate an impartial and common Creator, than a rigid adherence to the principles of justice on the part of a powerful nation in its transactions with a weaker and uncivilized people, whom circumstances have placed at its disposal.

"Before concluding, fellow-citizens, I must say something to you on the subject of the parties at this time existing in our country. To me it appears perfectly clear that the interest of the country requires that the violence of the spirit by which those parties are at this time governed, must be greatly mitigated, if not entirely extinguished, or consequences will ensue which are appalling to be thought of. If parties in a republic are necessary to secure a degree of vigilance sufficient to keep the public functionaries within the bounds of law and duty, at that point their usefulness ends. Beyond that they become destructive of public virtue, the parents of a spirit antagonist to that of liberty, and, eventually, its inevitable conqueror. We have examples of republics where the love of country and of liberty, at one time, were the dominant passions of the whole mass of citizens, and yet, with the continuance of the name and forms of free government, not a vestige of these qualities remaining in the bosom of any one of its citizens. It was the beautiful remark of a distinguished English writer, that, 'in the Roman Senate Octavius had a party, and Anthony a party, but the Commonwealth had none.' Yet the Senate continued to meet in the Temple of Liberty, to talk of the sacredness and beauty of the Commonwealth, and gaze at the statues of the elder Brutus, and of the Curtii and Decii. And the people assembled in the forum, not as in the days of Camillus and the Scipios, to cast their free votes for annual magistrates, or pass their opinions upon the acts of the Senate, but to receive from the hands of the leaders of the respective parties their share of the spoils, and to shout for one or the other, as those collected in Gaul, or Egypt, and the Lesser Asia should furnish the larger dividend. The spirit of liberty had fled, and, avoiding the abodes of civilized man, had sought protection in the wilds of Scythia and Scandinavia; and so, under the operation of the same causes and influences, it will fly from our Capitol and our forums. A calamity so awful, not only to our country, but to the world, must be deprecated by every patriot, and every tendency to a state of things likely to produce it immediately checked. Such a tendency has existed; does exist. Always the friend of my countrymen, never their flatterer, it becomes my duty to say to them, from this high place, to which their partiality has exalted me, that there exists in the land a spirit hostile to their best interests—hostile to

liberty itself. It is a spirit contracted in its views, selfish in its object. It looks to the aggrandizement of a few, even to the destruction of the interests of the whole. The entire remedy is with the people. Something, however, may be effected by the means which they have placed in my hands. It is union that we want, not of a party for the sake of that party, but a union of the whole country for the sake of the whole country—for the defence of its interests and its honour against foreign aggression—for the defence of those principles for which our ancestors so gloriously contended. As far as it depends upon me, it shall be accomplished. All the influence that I possess shall be exerted to prevent the formation at least of an executive party in the halls of the legislative body. I wish for the support of no member of that body to any measure of mine that does not satisfy his judgment and his sense of duty to those from whom he holds his appointment; nor any confidence in advance from the people, but that asked for by Mr. Jefferson, 'to give firmness and effect to the legal administration of their affairs.'

"I deem the present occasion sufficiently important and solemn to justify me in expressing to my fellow-citizens a profound reverence for the Christian Religion, and a thorough conviction that sound morals, religious liberty, and a just sense of religious responsibility, are essentially connected with all true and lasting happiness; and to that good Being who has blessed us by the gifts of civil and religious freedom, who watched over and prospered the labours of our fathers, and has hitherto preserved to us institutions far exceeding in excellence those of any other people, let us unite in fervently commending every interest of our beloved country in all future time.

"Fellow-citizens, being fully invested with that high office to which the partiality of my countrymen has called me, I now take an affectionate leave of you. You will bear with you to your homes the remembrance of the pledge I have this day given, to discharge all the high duties of my exalted station according to the best of my ability; and I shall enter upon their performance with entire confidence in the support of a just and generous people."

But these professions, and this system of policy, General Harrison was destined never to have the opportunity of realizing. His elevation to the high office of first Magistrate of the Union, furnishes a striking and melancholy example of the uncertainty of human greatness, for on the morning of the 4th of April, before he had delivered to Congress a single Message, he expired at Washington.

General Harrison was in the sixty-ninth year of his age; he died within one month of his inauguration, and was the first President who died in office. On the 5th of April, the public were admitted to view the remains of the late President. His corpse was placed in a leaden coffin, with a roofed lid and a glass cover over it. The whole was covered with a black velvet pall, trimmed with silver lace. The funeral took place on the 7th. The corpse was borne from the President's house, and was deposited in the Congregational Cemetery. The order of the procession was very imposing: it extended over two miles of space,

and was the longest ever witnessed in Washington.

By the constitution of the country, in the event of the President's death, the Vice-President becomes President for the unexpired term. To provide for this contingency, it has been the practice for the Vice-President, a few days before the termination of each session of Congress, to retire from the chair of the Senate, thus affording an opportunity to that body to elect a President over themselves *pro tempore*. At the late session, Mr. Tyler, the Vice-President, having left the chair, Mr. Southard, a senator from New Jersey, was chosen President *pro tempore*. Mr. Southard became Vice-President of the United States until the 4th March, 1845.

Mr. Tyler arrived at Washington on the 5th, and was sworn into office. He retained the Cabinet which General Harrison had selected. He issued the following Address on the 8th:—

"Fellow-citizens,—Before my arrival at the seat of Government, the painful communication was made to you by the officers presiding over the several departments, of the deeply-regretted death of William H. Harrison, late President of the United States. Upon him you had conferred your suffrages for the first office in your gift, and had selected him as your chosen instrument to correct and reform all such errors and abuses as had manifested themselves from time to time in the practical operation of Government. While standing at the threshold of this great work, he has, by the dispensation of an All-wise Providence, been removed from amongst us; and by the provisions of the Constitution, the efforts to be directed to the accomplishment of this vitally important task have devolved upon myself. This same occurrence has subjected the wisdom and sufficiency of our institutions to a new test. For the first time in our history, the person elected to the Vice-Presidency of the United States, by the happening of a contingency provided for in the Constitution, has had devolved upon him the Presidential office. The spirit of faction, which is directly opposed to the spirit of a lofty patriotism, may find in this occasion for assaults on my administration. And in succeeding, under circumstances so sudden and unexpected, and responsibilities so greatly augmented, to the administration of public affairs, I shall place in the intelligence and patriotism of the people my only sure reliance. My earnest prayer shall be constantly addressed to the All-wise and All-powerful Being who made me, and by whose dispensation I am called to the high office of President of this Confederacy, understandingly to carry out the principles of that Constitution which I have sworn 'to protect, preserve, and defend.' The usual opportunity which is afforded to a Chief Magistrate upon his induction to office, of presenting to his countrymen an exposition of the policy which would guide his Administration, in the form of an inaugural Address, not having, under the peculiar circumstances which have brought me to the discharge of the high duties of President of the United States, been afforded to me, a brief exposition of the principles which will govern me in the general course of my administration of public affairs would seem to be due as well to myself as to you.

"In regard to foreign nations, the groundwork of my policy will be, justice on our part to all, submitting to injustice to none.

"While I shall sedulously cultivate the relations of peace and amity with one and all, it will be my most imperative duty to see that the honour of the country shall sustain no blemish. With a view to this, the condition of our military defences will become a matter of anxious solicitude. The army, which has in other days covered itself with renown, and the navy, not inappropriately termed the right arm of the public defence, which has spread a light of glory over the American standard in all the waters of the earth, should be rendered replete with efficiency.

"In view of the fact, well avouched by history, that the tendency of all human institutions is to concentrate favour in the hands of a single man, and that their ultimate downfal has proceeded from this cause, I deem it of the most essential importance that a complete separation should take place between the sword and the purse. No matter where or how the public monies shall be deposited, so long as the President can exert the power of appointing and removing at his pleasure the agents selected for their custody. The Commander-in-chief of the army and navy is, in fact, the treasurer. A permanent and radical change should, therefore, be decreed. The patronage incident to the Presidential office, already great, is constantly increasing. Such increase is destined to keep pace with the growth of our population, until, without a figure of speech, an army of office-holders may be spread over the land. The unrestrained power exerted by a selfishly-ambitious man, in order either to perpetuate his authority or to hand it over to some favourite as his successor, may lead to the employment of all the means within his control to accomplish his object.

"The right to remove from office, while subjected to no just restraint, is inevitably destined to produce a spirit of crouching servility with the official corps, which, in order to uphold the hand which feeds them, would lead to direct and active interference in the elections, both State and Federal, thereby subjecting the course of State legislation to the dictation of the chief executive officer, and making the will of that officer absolute and supreme.

"I will at a proper time invoke the action of Congress upon this subject; and shall readily acquiesce in the adoption of all proper measures which are calculated to arrest these evils, so full of danger in their tendency. I will remove no incumbent from office, who has faithfully and honestly acquitted himself of the duties of his office, except in such cases where such officer has been guilty of an active partisanship, or by secret means—the less manly, and therefore the more objectionable—has given his official influence to the purposes of party, thereby bringing the patronage of Government in conflict with the freedom of elections. Numerous removals may become necessary under this rule. These will be made by me through no acerbity of feeling. I have no cause to cherish or indulge unkind feelings towards any; but my conduct will be regulated by a profound sense of what is due to the country and institutions; nor shall

I neglect to apply the same unbending rule to those of my own appointment. Freedom of opinion will be tolerated, the full enjoyment of the right of suffrage will be maintained as the birthright of American citizens; but I say emphatically to the official corps, 'Thus far and no further.' I have dwelt the longer upon this subject, because removals from office are likely to arise, and I would have my countrymen to understand the principle of the executive action. In all the public expenditures the most rigid economy should be resorted to; and, as one of its results, a public debt, in time of peace, be sedulously avoided. A wise and patriotic constituency will never object to the imposition of necessary burdens for useful ends; and true wisdom dictates the resort to such means in order to supply deficiencies in the revenue, rather than to those doubtful expedients which, ultimating in a public debt, serve to embarrass the resources of the country, and to lessen its ability to meet any great emergency which may arise. All sinecures should be abolished. The appropriations should be direct and explicit, so as to leave as limited a share of discretion to the disbursing agents as may be found compatible with the public service. A strict responsibility on the part of all agents of the Government should be maintained, and peculation or defalcation visited with immediate expulsion from office, and the most condign punishment.

"The institutions in which we live, my countrymen, secure each person in the perfect enjoyment of all his rights—the spectacle exhibited to the world of a Government deriving its powers from the consent of the governed, and having imparted to it only so much power as is necessary for its successful operation. Those who are charged with its administration should carefully abstain from all attempts to enlarge the range of powers thus granted to the several departments of the Government, other than by an appeal to the people for additional grants, lest by so doing they disturb that balance which the patriots and statesmen who framed the constitution designed to establish between the Federal Government and the States composing the Union. The observance of these rules is enjoined upon us by that feeling of reverence and affection which finds a place in the heart of every patriot, for the preservation of union and the blessings of union, for the good of our children and our children's children through countless generations. An opposite course could not fail to produce factions intent upon their selfish ends; to give birth to local and sectional jealousies; and to ultimate either in breaking asunder the bonds of union, or of building up a central system, which would ultimately end in a bloody and an iron crown.

"In conclusion, I beg you to be assured, that I shall exert myself to carry the foregoing principles into practice during my administration of the Government; and, confiding in the protecting care of an ever-watching and overruling Providence, it shall be my first and highest duty to preserve unimpaired the free institutions under which we live, and transmit them to those who shall succeed me in their full force and vigour.

"JOHN TYLER."

"*Washington, 9th April*, 1841."

On the 21st of May the twenty-

seventh Congress of the United States assembled at Washington. The first duty of the House of Representatives was to choose a Speaker. Mr. John White, of Kentucky, the Ministerial candidate, received 121 votes, and Mr. J. W. Jones, formerly Chairman of the Ways and Means, 84. Next day the President transmitted his Message to Congress, and the following are the most important topics noticed by it. He proposed that Congress should reimburse the family of General Harrison, the late President, for the expenses which he must have incurred in taking office for so short a time. His views with respect to Foreign policy were of a pacific character. He said—

"No important changes having taken place in our foreign relations since the last session of Congress, it is not deemed necessary on this occasion to go into a detailed statement in regard to them. I am happy to say, that I see nothing to destroy the hope of being able to preserve peace. The ratification of the treaty with Portugal has been duly engaged between the two Governments. This Government has not been inattentive to the interests of those of our citizens who have claims on the Government of Spain founded on express treaty stipulations; and a hope is indulged, that the representations which have been made to that Government on this subject may lead ere long to beneficial results.

"A correspondence has taken place between the Secretary of State and the Minister of her Britannic Majesty accredited to the Government, on the subject of Alexander M'Leod's indictment and imprisonment, copies of which are herewith communicated to the Congress. In addition to what appears from these papers, it may be proper to state, that Alexander M'Leod has been heard by the Supreme Court of the State of New York, on his motion to be discharged from imprisonment, and that the decision of the Court has not as yet been pronounced. * *

"So far as it depends on the course of this Government, our relations of good-will and friendship will be sedulously cultivated with all nations. The true American policy will be found to consist in the exercise of a spirit of justice to be manifested in the discharge of all our international obligations, to the weakest of the family of nations as well as to the most powerful. Occasional conflicts of opinion may arise; but when the discussions incident to them are conducted in the language of truth, and with a strict regard to justice, the scourge of war will for the most part be avoided. The time ought to be regarded as having gone by when a resort to arms is to be esteemed as the only proper arbiter of national differences."

The census, he says, shows that the population is 17,000,000, and that it doubles in twenty-three years. Looking at the same time to the enormous expanse of territory which invites occupation—comprising 770,000,000 acres on the hither side of the Rocky Mountains, to say nothing of the regions beyond—

"We hold out to the people of other countries an invitation to come and settle among us, as members of our rapidly-growing family; and for the blessings which we offer them, we require of them to look upon our country as their country, and to unite with us in

the great task of preserving our institutions, and thereby perpetuating our liberties. No motive exists for foreign conquest. We desire but to reclaim our almost illimitable wilderness, and to introduce into their depths the lights of civilization. While we shall at all times be prepared to vindicate the national honour, our most earnest desire will be to maintain an unbroken peace."

Allusion, as has been seen, is made in this and a preceding Message, to the case of Alexander M'Leod, which for a long time threatened to bring on a rupture between Great Britain and America, and caused much angry feeling between the two nations. The following is a history of the circumstances attending it:—During the disturbances in Upper Canada, in the winter of 1837, a steamboat called the *Caroline*, belonging to an American owner, had been actively engaged in conveying arms and stores from the American side of the river to the Canadian rebels who were in possession of Navy Island, and had been boarded in the night-time by a party of Canadian loyalists, while she was lying within the jurisdiction of the territory of New York, set on fire, and sent down the stream, when she was precipitated over the Falls of Niagara and dashed to pieces. An American citizen named Durfee was killed in the affray, and several others were wounded. In the month of January of the present year, a British subject domiciled in Canada named Alexander M'Leod, was suddenly arrested while engaged on some business within the territory of the State of New York, and thrown into prison by the authorities, on the charge of having been concerned in the destruction of the *Caroline*, and the alleged murder of Durfee. A correspondence immediately ensued between the British Ambassador, Mr. Fox, and Mr. Forsyth, the American Minister of Foreign Affairs. Mr. Fox called upon the Government of the United States to take prompt and effectual steps for the liberation of Mr. M'Leod. "It is well known," says Mr. Fox, "that the destruction of the steam-boat *Caroline* was a public act of persons in her Majesty's service, obeying the orders of their superior authorities. That act, therefore, according to the usages of nations, can only be the subject of discussion between the two national Governments. It cannot justly be made the ground of legal proceedings in the United States against the individuals concerned, who were bound to obey the authorities appointed by their own Government." Mr. Forsyth, in his reply, after stating the anxious desire of his Government to maintain amicable relations between the United States and England, said—

"It is then with unfeigned regret, that the President finds himself unable to recognise the validity of a demand, a compliance with which you deem so material to the preservation of the good understanding which has been hitherto manifested between the two countries.

"The jurisdiction of the several estates which constitute the Union is, within its appropriate sphere, perfectly independent of the Federal Government. The offence with which M'Leod is charged was committed within the territory, and against the laws and citizens, of the state of New York, and is one that comes clearly within the com-

petency of her tribunals. It does not, therefore, present an occasion where, under the constitution and laws of the Union, the interposition called for would be proper, for which a warrant can be found in the powers with which the Federal Executive is invested. Nor would the circumstances to which you have referred, or the reasons you have urged, justify the exertion of such a power, if it existed."

"Mr. Fox, in reply to the note of Mr. Forsyth, dated December 26, in which the application for the relief of M'Leod is refused, regrets this refusal, and intimates that it, and the ill-treatment of M'Leod, will lead to the most grave and serious consequences. He states again, that the attack on the *Caroline* was made in pursuance of orders from the colonial authorities, and he says that the *Caroline* was a piratical vessel, and was but nominally within the jurisdiction of the United States. The authorities of New York had been unable to maintain their jurisdiction at the place where the *Caroline* was attacked, or even to prevent the pirates from carrying off from that place the cannon belonging to the State. He was not authorised to state what were the views of her Majesty's Government on this subject, but he took this occasion to place his own opinion on record.

"Mr. Forsyth expresses his belief that Mr. Fox would not entertain this opinion if he had seen the whole evidence on the subject, which was carefully collected by the United States, and communicated to the British Government. He has no more to say to Mr. Fox on the matter, and awaits the result of the demand upon Great Britain for reparation."

This correspondence was soon after communicated by the President to the House of Representatives, when a discussion took place, and some inflated language against Great Britain was used. Mr. Alford, from Georgia, speaking with reference to the unsettled state of the question of the North-eastern boundary, said, that as an American citizen he felt humbled at the reflection that, under the administration of Martin Van Buren, the eagle of the United States had cowered under the lion of England. He felt humbled, that a country which, even in the days of the revolution, was strong enough to defend its rights, should now permit the Queen of England to deprive them of everything. Mr. Holmes, of South Carolina, asked whether the remarks made by Mr. Alford were to be considered ominous of the future action of the new Administration. Were they to judge, from the remarks made by one of its friends, that the country was to be precipitated into a conflict with this mighty power, prepared and armed at every point, and that, too, for a line of demarcation? If they were to rush into the conflict, if the south was to be prostrated, he was thankful that gentlemen had shown their hands, that the south might know that one of the results attending the triumph of this great party was a question of territorial war.

Mr. Alford, in reply, said that he had merely spoken his own sentiments. His own wish was, that the United States should never war with Great Britain on this or any other question, if war could be honourably avoided.

Mr. Cushing had been delighted to hear the patriotic sentiments which had fallen from the lips of

the member for Georgia, and believed that, upon reflection, they would find approval even in the heart of the member for South Carolina.

After the second and the third letters had been read, a debate followed, in which

Mr. Davis, of Indiana, having intimated that he was tired of the words "amicable relations," that he did not wish the "land of the lion heart and eagle eye to crouch to the British Government,"

Mr. Granger replied, and after stating, that whatever the excitement in Western New York on this subject, M'Leod would have a fair trial; "if upon that trial he can be shown to be innocent, he will be acquitted; if he should be proved guilty, beyond the possibility of doubt he will be condemned; and, if condemned, he will be executed—his execution being due to the supremacy of the laws of the State of New York. That act performed—if the British Government should hastily take upon herself to redress the supposed wrong, she will find in Western New York the same blood that was there in 1812—unbought by British gold—unbought, and to be bought only by that love of country that has marked her, and that has marked the whole people of this wide-spread confederacy. I have no fear, as the gentleman from Indiana (Mr. Davis) seems to have, that this country will ever crouch to the British lion. She will act cautiously and dispassionately; she will execute the laws within their proper limits wisely and justly; and, when that is done, my word for it, the gentleman from Indiana need not fear, that either the General Government or the State of New York will quail before the British lion."

The town in which Mr. M'Leod was imprisoned was Lockport, and when it was heard there, at the latter end of February, that he was to be released upon bail, a large public meeting was immediately held, and a committee was appointed to confer and to remonstrate with the judge by whom the bail had been admitted, and with the persons who had become bound for the prisoner. This was in the evening; and it was past midnight when the assemblage learned that their wishes would be fulfilled in the morning; and until then they adjourned. Meanwhile a guard was placed by the mob over the court-house, where Mr. M'Leod still remained; and a piece of cannon was fired from time to time immediately in front of it. In the morning the meeting again assembled, and then the judge and one of Mr. M'Leod's bail attended to explain, and to announce that Mr. M'Leod had been again delivered into custody.

This outrageous proceeding was denounced in Congress, but ulterior measures were not taken to vindicate the violated majesty of the law, as the Grand Jury at Lockport immediately afterwards found a bill against M'Leod for murder, and he was detained in gaol to await his trial.

On the 13th of February a Report was presented to the House of Representatives, by the Committee on Foreign Affairs, upon the correspondence between Mr. Fox and Mr. Forsyth relative to the detention of M'Leod, which breathed a very warlike and hostile tone. It, as might be expected, espoused the American side of the question entirely, stating

the employment of the Caroline steamer by her owner, Mr. Wells, to have been merely one of speculation and profit in the ordinary course of trade. The Report also complained of want of respect and courtesy on the part of Great Britain: "as if to treat our authorities with contempt, there was no preliminary demand or representation made" before the attack on the Caroline. "There is an assumption in most of our intercourse with that great Power, revolting to the pride and spirit of independence in a free people."

The report then enters upon the common-law part of the subject. M'Leod was believed to be *particeps criminis* in the murder of a citizen of the United States; he was voluntarily within the territory; and he was arrested "as any citizen of the United States charged with a similar offence might have been." Had the United States been at war with Great Britain, and M'Leod had committed the offences charged, then he might have fallen under the rules and regulations of war; but the act alleged against him was committed in time of profound peace. With respect to the jurisdiction of the Federal Government, the report says, that had the crime been of a kind to render the perpetrator *hostis humani generis*—an outlaw, or a pirate in the legal acceptation of the term—the United States tribunals would have had cognizance of it: but the offence charged in the case was in time of peace, and a violation purely of the *lex loci*, against the "peace and dignity of the State of New York," and as such coming within the criminal jurisdiction of that State. The English Minister had said, that it was notorious that M'Leod was not one of the party which attacked the Caroline—

"This may, perchance, all be so; but it would be asking a great deal, to require an American court to yield jurisdiction and render up a prisoner charged with offences against the law, upon the mere *ipse dixit* of any man, no matter how high in authority. Whether M'Leod be guilty or not guilty, is the very point upon which an American jury alone have a right to decide. Jurisdiction in state tribunals over criminal cases, and trial by jury of the venue, are essential points in American jurisprudence."

The Federal Government has no right "to arrest the power of the one or thwart the jurisdiction of the other"—

"The Federal Executive might be clothed with power to deliver up fugitives from justice for offences committed against a foreign state; but even then it might not be obligatory to do so, unless it were made matter of treaty stipulation. This duty and right in an Executive has generally been considered as dormant, until made binding by treaty arrangement. But when the matter is reversed, and demand is made, not of fugitives from justice for offences against a foreign power, but for the liberation of a man charged with offences against the peace and dignity of one of our own States, then it is, that the demand becomes preposterous in the extreme. The fact that the offences were committed under the sanction of provincial authorities does not alter the case, unless we were in a state of war. In such cases as the present, the power to deliver up could not be conferred upon the Federal Executive by treaty stipu-

lation. It could only be conferred in those cases over which jurisdiction is clearly delegated by the Federal Constitution — such, for instance, as treason, which is an offence against the conjoined sovereignty of the States as defined in the Constitution. Over all cases except those defined in the Constitution, and those coming clearly under the laws of nations, the States have exclusive jurisdiction; and the trial and punishment for offences against them are incident to their separate sovereignty. It is not pretended in this case that there is any treaty stipulation under which the demand is made; and the Federal Executive, under our system, has no power but what is conferred by the Constitution, or by special law of Congress."

Towards the conclusion, the report draws an alarming picture of the aggressive and powerful position of Great Britain—

"We have other points of difference with Great Britain, which add interest to every question that arises between us at present. Neither our North-eastern or North-western boundaries are yet settled with her; and the subject is not entirely free from difficulty. She has recently seized our vessels and exercised a power involving the right of search, under the pretext of suppressing the foreign slave-trade, which, if persevered in, will sweep our commerce from the coast of Africa, and which is incompatible with our rights as a maritime power. She has recently, in her intercourse with us, refused indemnity and denied our rights to property, on a subject-matter vital to near one half the States of this confederacy, and which, considering her military position at Bermuda, and her growing power in the West Indies, is of the last importance to our national independence. All these subjects make every question between us, at this particular juncture, of the deepest interest.

"Besides this, we are both permanently destined to have perhaps the most extensive commerce of modern nations. Our flags float side by side over every sea, and bay, and inlet of the known globe. She moves steadily upon her objects with an ambition that knows no bounds. And wherever she has had a conflict of interest, she has rarely yielded to any power. At this moment she presents to the civilized world the spectacle of the greatest military and commercial power in combination ever known. From her vast possessions in every quarter of the globe, and her peculiar commercial system, she has been made the reservoir of the wealth of nations. Her internal resources, skill, labour, and machinery, with her capital, are beyond calculation. Her natural position, being about midway the coast of Europe, gives her great control over the outlets and currents of commerce. Her military occupation of Gibraltar, Malta, the Ionian Islands, and recently of St. Jean d'Acre, give her ascendancy on the Mediterranean and the Levant; while St. Helena and the Cape of Good Hope give her possession over the currents of trade along those extensive coasts. Then, Bombay, Calcutta, and her immense possessions in the East Indies, together with her recent movements in the China seas and islands, enable her to extend her power over those vast regions that have slumbered for ages in solitary and enervated magnificence. She

possesses the Falkland Islands, but to control the commerce that passes around Cape Horn; while Trinidad gives her all she desires in the Carribean Sea. Halifax at one point and Bermuda at another stand out in great force over our own coast from one extremity to the other. Her positions all over the world are at this moment, in a military point of view, equal to a million of men under arms. Her continual conflicts in the mighty regions of the East, only enable her officers to become skilful and to improve in the art of war, while her great armies and extensive fleets draw their support from the immense countries seized and occupied. In the present juncture of affairs, no statesman can overlook these things. Steam power has recently brought us so near together, that in the event of any future conflict, war, with its effects, will be precipitated upon us with much more rapidity than formerly."

This Report was presented to the House of Representatives on the 13th of February; when it gave rise to some discussion, in which Mr. Granger, of New York, took a leading part. He objected to the Report, as tantamount to a declaration of war, and mentioned that he had opposed it in the Committee. Another objection that he made was, that the Report dealt with many things as causes of complaint against Great Britain, with which the House had no concern, and respecting which it had no information. Mr. Pickens the Chairman of the Committee, defended the Report, on the ground that it had a tendency to the preservation of peace; he was for peace, and he happened to represent a State whose interests were peculiarly pacific. The object of the Report was to call the attention of Congress and the American people to the necessity of preparations for the national defence. Mr. Pickens admitted that the Report had had the concurrence of a bare majority in the Committee.

Mr. Adams condemned the Report, for being of a strictly party character. "What," he asked, "would be its effect on the American people?—on the world? Would it not be thought that it was the malice of a defeated enemy, setting fire to a tenement that he was forced to abandon? He enjoined upon the country the necessity of union in any war that it should undertake: it would not do to go into war with a *bare majority*. The Report would be read in England as an official *exposé* of the views and determinations of the United States Government. But who had made up this issue? He had nothing to do with it. No one had been consulted about it. It came upon us suddenly. But in it was the issue of peace or war. We should put forth nothing upon which we were not willing to take the issue of war. There were some questions pending between the two nations as to which we might be wrong and Great Britain right. He would not, therefore, put the question of peace or war on this Report."

The Report was ultimately ordered to be printed, by a majority of 103 to 68.

About the same time a discussion took place in the House of Representatives, in consequence of a Report from the Secretary at War, laid before Congress some time previously, which suggested a plan for fortifying the frontiers

of the Union. Ultimately Mr. Fillmore moved and carried a resolution, that the question of the expediency of placing the country in a state of defence, should be submitted to the Committee on Military Affairs.

M'Leod was, in the month of May, removed by *habeas corpus* from Lockport to New York, in the custody of the Sheriff of Niagara county. Previously to this, the following note, dated the 12th of March, 1841, was sent by Mr. Fox to Mr. Webster, the new American Foreign Secretary.

"Her Majesty's Government have had under consideration the subject of the arrest and imprisonment of Alexander M'Leod, on a pretended charge of arson and murder; and I am directed to make known to the Government of the United States, that the British Government entirely approved of the course pursued by him. I am instructed to demand formally, and in the name of the British Government, the immediate release of Alexander M'Leod, for the reason that the transaction was of a public character, planned and executed by persons duly authorized by the Colonial Government to take such measures as might be necessary for protecting the property and lives of her Majesty's subjects; and being therefore an act of public duty, they cannot be held responsible to the laws and tribunals of any foreign country."

By this it will be seen that the British Government formally adopted the act of the burning of the Caroline, and thus the important question was raised as to how far a subject of an independent kingdom was criminally responsible to another state, for an act which he did as an officer obeying the commands of his own authorities. The fact of M'Leod's presence or absence on the night when the Caroline was destroyed, was wholly irrelevant to the decision of this important point; for the position assumed by the British Government was, that even if he had been employed in aiding and abetting on that occasion, yet it was an act of his own Government, for which he could not be individually and personally responsible.

The answer of Mr. Webster contained the following passage:

"The Government of the United States entertains no doubt that, after this avowal of the transaction as a public transaction authorized and undertaken by the British authorities, individuals concerned in it ought not, by the principles of public law and the general usage of civilized states, to be holden personally responsible in the ordinary tribunals of law for their participation in it; and the President presumes that it can hardly be necessary to say that the American people not distrustful of their ability to redress public wrongs by public means, cannot desire the punishment of individuals when the act complained of is declared to have been an act of the Government itself."

But now arose another difficulty. Supposing that the General Government of America admitted this principle, as between it and Great Britain, yet the complicated nature of the Federal system gave the State of New York a separate claim as was alleged, to adjudicate in the case of M'Leod, irrespective of the question of international law, on account of the violation of its territory and murder of one of

its citizens, when the Caroline was attacked.

This claim was brought before the Supreme Court of New York, and long arguments were heard on both sides; and as the Court wished to take time to consider its decision, it made an order that M'Leod should be discharged from the custody of the Sheriff of Niagara, and committed to that of the Sheriff of New York. In the month of July the Supreme Court delivered its judgment, overruling the plea that he acted under the orders of the British Government and was therefore irresponsible. Judge Cowen pronounced the decision and Mr. M'Leod was accordingly left in the custody of the Sheriff, to take his trial for murder and arson at Utica, at the next assizes. The instruction of Mr. Webster to Mr. Crittenden, the Attorney-general of the Union, intimated that the case, if brought ultimately before the last Court of Appeal, would there be dealt with as a question of international law.

At last the trial of M'Leod took place at Utica, in the State of New York, on the 4th of October, before Judge Gridley, assisted by three other Judges of the County Court. Mr. Willis Hall, the Attorney-general of the State, conducted the prosecution, and Mr. Spencer and two other counsel the defence. A great many witnesses were examined, and the defence set up on behalf of the prisoner was that of an *alibi*—most convincing evidence being offered of the presence of M'Leod at some distance from the scene of action, at the time that the Caroline was attacked. After an able and impartial summing up by Judge Gridley, the Jury returned a verdict of "Not Guilty," and thus terminated this unpleasant affair, which seemed likely, at one time, to involve two great nations in war, and excited angry feelings on both sides of the Atlantic.

Another circumstance also occurred which tended to embarrass matters still further. On the 9th of September, a party of Canadian volunteers crossed the New York frontier, and having seized the person of a Colonel Grogan, an American citizen, who was accused of having been engaged in several incendiary outrages, carried him into the Canadian territory. This invasion of the American soil caused the greatest excitement in the minds of men already inflamed by the proceedings in the case of M'Leod; but on representation of the outrage being made to the Canadian authorities, an order was immediately made, that Grogan should be discharged from custody —and this cause of quarrel was at once removed.

A bill was introduced into Congress, in the month of July, for the establishment of a National Bank—to be one of issue, deposit, and discount—the notes issued to be of as low a denomination as five dollars, or at all events, ten dollars. This bill passed the House of Representatives and the Senate, but was vetoed by President Tyler, who stated his reasons for this in a Message of considerable length to Congress. He said that his hostility to such a bank was perfectly well known at the time when he was elected Vice-President, and that he had seen no reason to change his opinion.

"In looking to the powers of this Government to collect, safely keep, and disburse the public revenue, and incidentally regulate the commerce and exchanges, I have

not been able to satisfy myself that the establishment by this Government of a bank of discount, in the ordinary acceptation of that term, was a necessary means, or one demanded by propriety, to execute those powers. What can the local discounts of a bank have to do with the collecting, safe-keeping, and disbursing of the revenue? So far as the mere discounting of paper is concerned, it is quite immaterial to this question whether the discount is obtained at a States Bank or a United States Bank. They are both equally local—both beginning and both ending in a local accommodation. What influence have local discounts, granted by any form of banks, in the regulating of the currency and the exchanges? Let the history of the late United States Bank aid us in answering this inquiry."

Mr. Van Buren published a letter, in which he applauded the conduct of the President on this occasion; but the exercise of the veto rendered the latter, for a time, highly unpopular, and in several places he was burnt in effigy. It was followed by the resignation of his whole Cabinet—and the cause assigned for this was, the want of confidence exhibited to them by the President. Mr. Ewing, the Secretary of the Treasury, publicly stated, that, at a Cabinet Conference, the President had approved of the very bill which he afterwards vetoed, when it had passed Congress without amendments, and that the bill had been specially framed to obviate the President's objections. A new Cabinet was formed consisting of the following Members:

Mr. Daniel Webster, of Massachusetts, Secretary of State. (In office before.)

Mr. Walter Forward, of Pennsylvania, Secretary of the Treasury.

Mr. Abel. P. Upshur, of Virginia, Secretary of the Navy.

Mr. John C. Spencer, of New York, Secretary of War.

Mr. Hugh S. Legare, of South Carolina, Attorney-General.

Mr. Charles C. Wickliffe, of Kentucky, Postmaster-General.

Mr. Edward Everett, was at the same time (September) appointed American Minister in England.

Information having reached the Government that secret societies were organised along the Northern frontier, called "Hunter's Lodges," the object of which was to bring about another revolution in Canada, or otherwise annoy the loyalists there — a proclamation was issued, on the 25th of September, by the President, and countersigned by the Secretary of State, in which he admonished all such evil-minded persons as might have joined these lodges of the condign punishment which was certain to overtake them, "assuring them that the laws of the United States will be rigorously executed against their illegal acts; and that, if in any lawless incursions into Canada they fall into the hands of the British authorities, they will not be reclaimed as American citizens, nor any interference made by this Government in their behalf.

"And I exhort all well-meaning but deluded persons who may have joined these lodges, immediately to abandon them, and to have nothing more to do with their secret meetings or unlawful oaths, as they would avoid serious consequences to themselves; and I expect the intelligent and well-

disposed members of the community to frown on all these unlawful combinations and illegal proceedings, and to assist the Government in maintaining the peace of the country, against the mischievous consequences of the acts of these violators of the law."

Amongst the members of these fraternities, bound together by secret oaths, were several persons of consideration, such as Governor Fairfield, of Maine, and Governor Mason, of Michigan.

The elections that took place at the latter end of the year, were unfavourable to the Whig party, and gave strength to the Democratic. General Scott publicly announced his intention of becoming a candidate for the Presidency, and issued a circular, in which he made known his political opinions. These were somewhat opposed to those of President Tyler, particularly on the questions of the establishment of a National Bank and the exercise of the President's veto. General Scott professed to wish that this prerogative should be curtailed—saying, that the Judiciary "the balance-wheel" of the system, afforded all the security that the people could desire against usurpations on the part of Congress, whereby that body might seek to infringe the constitution.

An important subject of dispute sprung up at the close of this year, between Great Britain and America, respecting the "right of search," claimed by the former power, in her attempts, in conjunction with France, Austria, and Prussia, to put down the Slave-trade—but as this controversy extended into the following year, we shall reserve an account of its details for our next volume.

Canada.—The Union of the two Canadas was carried into effect this year, and on the 10th of February the oath of office was taken by Lord Sydenham, at Montreal, on assuming the Government of "Canada," in the presence of the special council, the judges, the clergy, and the heads of the departments. After taking the oath, Lord Sydenham formally proclaimed the Union, stating, that "in obedience to the commands of the Queen, he had that day assumed the Government of the Province of Canada. Upper and Lower Canada, separated for fifty years, were once more reunited, and thenceforward would form but one province, under one administration."

In the month of March a general election took place, the result of which was favourable to the views of Government, as regarded the important measure of the Union of the two Provinces. On the 14th of June, the members of the Legislative Council and the House of Assembly were sworn in, after which, the House of Assembly proceeded to the election of Speaker. The Government candidate was Mr. Austin Cavillier; and Sir Allan M'Nab was proposed by the Opposition, but his name being withdrawn at his own request, Mr. Cavillier was elected Speaker without a division.

Next day, the Governor proceeded in state to the Chamber of the Legislative Council, in the Parliament Building, and having commanded the attendance of the Members of the Assembly, he opened the Session, in a speech from which we make the following extracts:—

"Honourable Gentlemen of the

Legislative Council, and Gentlemen of the House of Assembly—I have deemed it right to assemble you at the earliest period which the circumstances of the Province and the duties imposed upon me by the Imperial Act for the Union of the Canadas, under which the Legislature is constituted, have admitted; and it is with sincere satisfaction that I now meet you to deliberate on the great and important interests committed to our charge.

"Many subjects of deep importance to the future welfare of the province demand your early attention; upon some of which I have directed bills to be prepared, which will be submitted for your consideration.

"Among them, first in importance at the present juncture of affairs, is the adoption of measures for developing the resources of the province by well-considered and extensive public works. The rapid settlement of the country, the value of every man's property within it, the advancement of its future fortunes, are deeply affected by this question.

"The improvement of the navigation from the shores of Lake Erie and Lake Huron to the ocean, the establishment of new internal communications in the inland districts, are works requiring a great outlay, but promising commensurate returns. To undertake them successfully, large funds will undoubtedly be required; and the financial condition of the province, as it stands at present, would seem to forbid the attempt. But I have the satisfaction of informing you, that I have received authority from her Majesty's Government to state, that they are prepared to call on the Imperial Parliament to afford their assistance towards these undertakings. In the full belief that peace and tranquillity will be happily re-established in this province, under the constitution settled by Parliament, and that nothing but a relief from its most pressing difficulties is wanting to its rapid advancement to prosperity, they will propose to Parliament, by affording the guarantee of the Imperial treasury for a loan to the extent of no less than a million and a half sterling, to aid the province for the double purpose of diminishing the pressure of the interest on the public debt, and of enabling it to proceed with those great public undertakings whose progress during the last few years has been arrested by the financial difficulties. I shall direct a measure to be submitted to you embracing a plan for this purpose; and I shall lay before you, for your information and that of the people of Canada, extracts from the despatches which convey to me this most gratifying assurance.

"In immediate connexion with the outlay of capital upon public works, is the subject of emigration and the disposal and settlement of public lands. There exist within the province no means so certain of producing a healthy flow of immigration from the Mother-country, and of ultimately establishing the emigrant as a settler and proprietor within the colony, as the power of affording sure employment for his labour on his first arrival. The assistance of Parliament for the public works which may be undertaken here, will in a great measure provide for this; but, with a view further to aid emigration, I am authorised to declare to you, that her Majesty's

Government are prepared to assist in facilitating the passage of the emigrant from the port at which he is landed to the place where his labour may be made available; and that a vote of money for this purpose will be proposed to the Imperial Parliament. The conditions which her Majesty's Government attach to this measure will be submitted to you at the same time that I shall draw your attention to a scheme for the settlement and disposal of the public lands.

"It appears highly desirable that the principles of local self-government, which already prevail to some extent throughout that part of the province which was formerly Upper Canada, should receive a more extended application there, and that the people should exercise a greater degree of power over their own local affairs. I have directed a measure upon this subject to be submitted to you; and I solicit your earnest attention to the establishment of such a form of local self-government of those districts of the province which are unprovided with it, as may ensure satisfaction to the people, whilst it preserves inviolate the prerogative of the Crown, and maintains the administration of justice pure from party and popular excitement.

"A due provision for the education of the people is one of the first duties of the state, and in this province, especially, the want of it is grievously felt. The establishment of an efficient system, by which the blessings of instruction may be placed within the reach of all, is a work of difficulty; but its great and overwhelming importance demands that it should be undertaken. I recommend the consideration of that subject to your best attention, and I shall be most anxious to afford you in your labours all the co-operation in my power. If it should be found impossible so to reconcile conflicting opinions as to obtain a measure which may meet the approbation of all, I trust that at least steps may be taken by which an advance to a more perfect system may be made and the difficulty under which the people of this province now labour may be greatly diminished, subject to such improvements hereafter as time and experience may point out.

"Gentlemen of the House of Assembly—The financial accounts of the province will be immediately laid before you, and I shall direct the Estimates for the public service to be submitted to you with the least possible delay. I rely upon your co-operation in the financial measures which it will be my duty to propose to you for taking advantage of the assistance which her Majesty's Government proposes to afford, and for carrying into effect the public improvements which are deemed most desirable. I shall earnestly endeavour, that whatever you may appropriate for this latter purpose shall be economically employed and rendered effective.

"Honourable Gentlemen and Gentlemen—In your wisdom and prudence I confide for the regulation of the different important matters which must necessarily come before you. Canada, united under a constitution which the Imperial Legislature has framed with an earnest desire for the welfare of this portion of the British empire, cannot fail to prosper under prudent and sage counsels. The generous aid which I have already announced to you, the determination which I am also em-

powered to state on the part of the Government to devote annually a large sum for the military defences of the province, the fixed and settled determination which I have the Queen's commands to declare, that her North American possessions shall be maintained, at all hazards, as part of her empire, are pledges of the sincerity with which the Mother-country desires to promote the prosperity of Canada, and to assist in the well-working of the new institutions which it has established.

"The eyes of England are anxiously fixed upon the result of this great experiment. Should it succeed, the aid of Parliament in your undertakings—the confidence of British capitalists in the credit you may require from them—the security the British people will feel in seeking your shores and establishing themselves on your fertile soil—may carry improvement to an unexampled height. The rapid advance of trade and immigration within the last eighteen months affords ample evidence of the effects of tranquillity in restoring confidence and promoting prosperity. May no dissensions mar the flattering prospect which is open before us; may your efforts be steadily directed to the great practical improvements of which the province stands so much in need, and under the blessing of that Providence which has hitherto preserved this portion of the British dominions, may your counsels be so guided as to insure to the Queen attached and loyal subjects, and to United Canada a prosperous and contented people."

The Legislative Council after some slight attempt to modify the address in answer to the speech,—on the ground that it ought to express *hope* rather than *confidence* in the results of the Union Act, and because the Union Act did not give Lower Canada an adequate share in the representation, while the French language was to be discontinued in certain cases,—agreed to echo the speech; and their address was presented to the Governor on the 19th.

The House of Assembly were longer in arriving at a conclusion. On the 18th, the House resolved itself into a Committee of the whole; and Mr. Cameron moved an Address, which was an echo of the speech. A long discussion followed, which was adjourned from day to day. It turned mainly on the question of "responsible government;" several members requiring a more distinct declaration on the subject than the Government had yet given.

Mr. Merritt moved an Amendment to the effect, that should experience prove to the House that the Union Act was defective, it should be amended. This Amendment was acceded to, and the Address was then carried.

Lord Sydenham was not destined to witness the results of the great measure, which he had, in his official capacity of Governor, promulgated to the inhabitants of Canada. In the month of September, he fell, while riding, from his horse, and this brought on lock-jaw. At the same time he suffered extreme torture from attacks of spasmodic gout, and at last, on the 19th of the same month, sunk under a complication of maladies. During his illness he sustained his painful sufferings with noble fortitude, and continued to the last to give his attention to such details of public business as required despatch. His last wish was, that his grave might be on the banks of the St. Lawrence.

CHRONICLE.

JANUARY.

REGISTRATION OF THE BIRTH OF THE PRINCESS ROYAL.—The act of parliament for the Registration of Births applies not only to the community at large, but also to all the members of the royal family. The birth of the princess royal has been duly registered. The entry was made in the registration books of the parish of St. George, Hanover-square, and was entered on the 22nd Dec., by Mr. William Pierce Jerdan, of Lower Belgrave-street, Eton-square, Pimlico, the registrar of births for the Belgrave district of that parish, who attended at Buckingham Palace for the purpose.

1. STATEMENT OF THE ROYAL NAVY IN COMMISSION ON THE 1ST OF JANUARY, 1841.—Nine first-rates, viz., three of 120 guns, two of 110, four of 104; ten second-rates, viz., one of 92, five of 84, four of 80; fourteen third-rates, one of 76, one for gunnery practice, two of 78, one of 74, nine of 72; five fourth-rates, viz., five of 50; fifth rates and under, one of 46, one of 44, two of 42, three of 36, fifteen of 26, two of 24, four of 20, fourteen of 18, twenty-one of 16, twenty-one of 10, one of 12, twenty-three smaller armed vessels; seven guard-ships and dépôts; five small-craft steamers, ten frigate-armed, twenty-five smaller; three yachts, and six troop and store-ships; in all 160 vessels, carrying 4,277 guns.

3. THUNDER STORM.—SPITALFIELDS AND STREATHAM CHURCHES INJURED BY LIGHTNING.—The metropolis was visited by a terrific storm of thunder and lightning—the latter of the most vivid and dangerous description. Among the many injuries occasioned by the lightning, is that which occurred to the spire and roof of Spitalfields church, at ten minutes to seven o'clock precisely, the clock having stopped at that time in consequence of the injury done to the bell-wires. The electric fluid struck the cone, or upper part of the spire, which from the roof had a very shattered appearance; thence it descended to a room above the clock-room, forcing the trap-door from the hinges, down to the floor of the clock-room, melted the iron wires connected with the clock,

scorched the wooden rope-conductors, broke many of the windows, and made a considerable fracture in the wall, which is of a very great thickness; at this point it is supposed the electric fluid escaped, forcing the masonry work several inches from its original place. The roof was completely covered with large stones, which broke in the lead-work by their weight in falling. The lead near the masonry above alluded to was melted in several places. In the front, a little above the clock, a large stone was forced into the street, which broke one of the iron railings, and the flag-stone on which it fell. The side of the church in Church-street also met with considerable damage.

The first flash of lightning, which was of a terrific nature, illuminated the whole of the horizon, and in its progress struck the steeple of Streatham church. The electric fluid appeared to fall in a body on the ball which supported the weathercock, and, after playing about it for a few seconds, ran down the whole extent of the steeple, and then diverged off at the stone tower. Shortly afterwards, smoke was seen to issue from this part of the church, followed by a body of flames. The parish engine was immediately got out, but, owing to the height of the steeple from the ground, the engine was unable to reach the burning pile. A mounted messenger was instantly despatched to town to the various engine-stations, when the brigade engine, with a considerable quantity of extra hose, started from Waterloo-road, followed by those from the Southwark-bridge-road, Morgan's-lane, and Watling-street, and some of the firemen of the West of England; but, owing to the extraordinary state of the roads from the storm, the engines were a considerable time in reaching the spot. Upon their arrival, the whole of the steeple was on fire, and although a plentiful supply of water was obtained, it was totally destroyed. The portion of the sacred edifice which was destroyed was the remains of the old church, the body of which, some years since, fell in while under repair, and it was found necessary to erect a new one; but the tower and wooden steeple being found perfectly sound, remained, and, until yesterday morning, appeared likely to last for ages. The damage done by the fire and the water to the church is estimated at 1,000*l*.

3. Vessel destroyed by Fire. —About twelve o'clock, P.M., the fine schooner the Veritas, of 179 tons burden, Captain R. Peak, arrived at Guernsey, in ballast, from London, and ran into St. Sampson's harbour. At a few minutes before three o'clock the next morning, the mate of the English schooner Eliza, who was casting loose the chain by which she was moored, perceived that the Veritas was on fire. He instantly alarmed the crews of the other vessels in the harbour (amounting to sixteen in number), in order to get all the assistance in his power, with the view to save the vessel from that destruction with which she was threatened. Providentially the wind, which was blowing from south-east, and across the harbour in the direction of the shipping, was very moderate; but, as it might increase, and thereby place the other vessels in imminent danger, should the Veritas's sails and rigging take fire, captain Swain ordered the mainmast to be cut away, as the flames had already

communicated to the mainsail, which was furled in the usual manner; when the mainmast went by the board, it carried away with it the foremast also, snapping it about fifteen feet above the deck, and the whole fell into the harbour. The vessel was scuttled forward on the larboard bow, and by that means she partly filled when the water surrounded her. A good supply of water was then obtained; and by persevering exertions the fire was got under at about seven o'clock in the morning. The first person who descended into the cabin was captain Peak, who there beheld a horrible spectacle—his late mate burnt in a manner too shocking to describe. What remained of his human frame was found in an inclined posture, with his face toward the cabin floor; and from this fact it is conjectured, that he must have been sitting upon the after-locker, with his head resting upon the table, and in that posture had fallen asleep. It is supposed, also, that a candle was upon the table, and that on the vessel taking the ground, when the water receded from her, she listed to the starboard, which caused the candle to fall on the cabin floor, among some of the captain's clothes, which he had put off on his coming on shore, and ignited them.

—Dreadful Conflagration at Dundee—Destruction of the Churches, &c.—This morning (Sunday), about five o'clock, a fire was discovered in a portion of the venerable pile of buildings which has for many centuries been the pride and ornament of the town. The alarm was immediately given to the police, the fire-engine and the fire brigade hastened to the spot, the alarm-bell pealed forth to rouse the inhabitants, and thousands were disturbed from their rest to witness the entire destruction of three of the churches, and one of the most sublime spectacles which ever took place in Scotland. The fire originated from a stove in a passage betwixt the Steeple and South Churches; and when first discovered, the flames were seen bursting out of one of the windows, situate in an angle of the latter building. Nothing could equal the frightful vehemence of the devouring element; it ran with the speed of lightning along the galleries of the church, the pulpit was a mass of fire, and in a few moments was entirely consumed; an intense white flame burst through the roof, while from the back part of the church an overwhelming volume of massive fire moved towards the front, and, gathering force as it proceeded, burst with irresistible fury out of the beautiful window facing the street, driving the assembled populace backward by the intensity of the heat. At the same moment the venerable cathedral, which has for 700 years weathered the storm, caught fire, and the sympathies of the spectators were much excited at the approaching destruction of the noblest remnant of antiquity of which the town could boast. Meanwhile the Cross Church, forming a limb of the cross in which the churches are built, and situate immediately behind the South Church, which was first on fire, was one mass of flame. About half-past six, the conflagration was at its height. The three churches, from the base to the highest pinnacle, were wrapped in the devouring element. The sublimity of the spectacle may be imagined,

not described; its astounding grandeur paralysed every effort of the fire-brigade, the military, and the police. While all this was going on below, the ancient tower, which rises to the height of 150 feet, and is attached to the Steeple church, the only one not in flames, rose Phœnix-like above the terrific contention, and the peal of the alarm bells from its interior added to the grandeur of the spectacle. The utmost efforts were made by the firemen to prevent the fire spreading to the Steeple church, and happily this was effected by directing the hose to the door communicating with the lobby between it and the part of the edifice in flames. Thus both the steeple and church were preserved. The east church, or cathedral, is a complete wreck; the fine Gothic arches, with their supports, were destroyed, and the only articles rescued were the silver communion service, and the records of the presbytery of Dundee; a valuable library composed of many works of the fathers of the church in Greek and Latin is entirely lost.

—Loss of the Thames Steamer.—On the morning of Monday the 4th inst., the Thames, an Irish steamer, was on her voyage from Dublin to London, and the weather being exceedingly boisterous, with showers of hail and snow, they lost their reckoning, and mistaking the St. Agnes (Scilly islands) light for that of the Longships (near the Land's-end), ran on the Cribewidden rock, and in a short time became a total wreck; out of about sixty-five persons on board, only four were saved. Soon after the vessel struck she was discovered by the inhabitants of St. Agnes, and one of the boat's crews, at the risk of their lives, immediately put off to render assistance; they succeeded in getting near her, and though there was scarcely another chance of escape, the captain, with the true bravery of a British seaman, ordered that not a man should leave the vessel until the females were safe; the three who were saved were then prevailed upon to go in the boat, but another refused to part with her babe and was consequently drowned.

Almost immediately afterwards a heavy sea separated the boat from the ship, and no communication could be afterwards effected. The vessel went to pieces before eleven o'clock, when a party of the sufferers, getting on a fragment of the wreck, were drifted on Rosevear, another rocky islet, but they were so exhausted that only one reached the shore alive, and this poor fellow had to endure the severity of the weather for twenty-four hours before he could be removed. It appears that before the Thames struck on the rock she had shipped a heavy sea which extinguished her fires, and this in all human probability was a principal cause of the catastrophe.

— Prussia, Frauenburg — Murder of the Bishop of Ermeland.—The murder of the venerable bishop of Ermeland created a great sensation throughout Germany: it appears from the official report that on Sunday, at six in the evening, the servants of the bishop went to the parish church, in the lower part of the town, in order to be present at the close of the forty hours' prayer. Upon their return one of the footmen proceeded up stairs, but rushed instantly down with the alarming information that the bishop was lying bathed in his blood on the

floor, and that Rosalia Pfeiffer, the aged housekeeper, was sitting by the stove in a state of insensibility. The servants ran up and were horror-struck at the spectacle which presented itself—of their venerable master lying on the floor, stretched out all his length in a flood of blood, with his face downwards. The housekeeper, whose countenance was also covered with blood, and who sat, as has been said, near the stove, had several severe wounds on the head. After repeated questions, loudly put to her, as to what had passed, she only pointed to the dead body of the bishop, and with difficulty gave utterance to the scarcely intelligible words—"Who is that? what is that?"

The bishop's servants having made the dreadful event known, the burgomaster, Novakovsky, the cathedral physician, Cirski, some canons, and several citizens of Frauenburg, hastened to the bishop's residence. The body of the bishop, which though lifeless was not yet cold, was laid on a bed, but all the means for restoring animation were tried in vain. Three severe wounds had been inflicted by a hatchet, or some such weapon, on the head. The housekeeper, who had received three severe wounds on the head, was conveyed to her bed. The horrible occurrence appeared to have made such an impression on her, that she was not for a long time able to communicate anything of importance. The few half intelligible words which she muttered at feverish intervals appeared to have reference to the instructions given her by the bishop before the murderous deed.

Public rumour quickly pointed out as the murderer Rudolph Kuhnapfel, whom the burgomaster had before had reason to regard with suspicion, and who was a man likely to have committed the deed. Rudolph Kuhnapfel, his parents, with whom he lived, and his sister, were arrested and placed in special safe keeping. Finding no chance of escape, Kuhnapfel made a confession to the following effect:—That he armed himself with a hatchet, purposing to use it only to menace his victims. He knocked at the door of the episcopal palace. The aged housekeeper opened the door. He compelled her, by the most violent threats, to show him the way to the bishop's room. On arriving there she was about to go out of the door, whereupon the assassin gave her several blows on her arm with the hatchet. The aged bishop entreated for the life of the domestic that had served him so long and faithfully; nevertheless, the villain stretched her on the ground by a violent blow on the back of her head. The bishop declared himself ready to give up whatever he had to his assailant, who forced him to bind himself to secrecy by an oath. The old man was then compelled to go into the adjoining room, where he delivered up his snuff-box, watch, purse, and keys. On returning to the first room, the monster perceived some signs of life about the housekeeper, and inflicted another violent blow on her face, which done, he proceeded to ransack the cupboard. At this moment the bishop dropped the candlestick, and, stooping to lift it up again, he exclaimed, "Oh, my God!" The murderer fancying at first that the old man was crying for help, felled him to the ground by a blow on the back of his head.

The murderer was condemned "to suffer death by the wheel,

commencing at the lower extremities and proceeding upwards." A foreign journal gives this account of the fearful punishment:—

"At half-past four in the morning, the prisoner was removed in a cart from Braunsberg under a secure escort, and arrived about six o'clock at the place appointed for the execution. A crowd of persons, exceeding 10,000, had assembled by day-light from all parts of the diocese; and it is worthy of remark, that more than one-half of the collected mass consisted of females. The delinquent having alighted from the car in a very low state, a restorative draught was administered to him, after which he was conducted to the scaffold. There, on his fetters being struck off, he kneeled down with the accompanying priest and prayed. The chief of the Braunsberg tribunal then read the sentence, which ordered the execution by breaking on the wheel from below upwards, and closed with an address to the three executioners present in these words:—'And now I deliver him to you for the due fulfilment of this judgment.' On hearing this the malefactor looked round to the priest, sank again on his knees, and ejaculated a short prayer. Then rising, he laid himself with calm resolution on the scaffold, and, refusing the assistance of the executioners, placed his limbs in the required position. This done, he said with a firm voice, 'God have mercy on my poor soul!' One of the executioners covered his face with a cloth. The terrible operation by the wheel now commenced. In ten minutes the wretched man was dead, and the body was deposited in a coffin prepared to receive it. The spectators looked on in a calm, orderly manner, preserving a silence suited to the awful scene before them and the crime of the sufferer. When all was over, they dispersed quietly, but apparently under the influence of deep emotion."

4. St. Bartholomew's Church, near the Royal Exchange.—The remains of this church, built after the fire of London, agreeably to sir C. Wren's plans for rebuilding several churches and other public edifices, were brought to the hammer, Mr. Toplis, the auctioneer, officiating on the occasion. It was ordered to be pulled down, to make way for the improvements attendant upon the rebuilding of the Royal Exchange. It had been completely dismantled, and little more remained for the auctioneer to dispose of than the bare but ancient walls. The pews, the organ, the flooring, all had disappeared; there only remained the flooring of the organ-loft, and the forms on which the charity boys used to sit. The recess forming the vestry was the station selected by the auctioneer for his rostrum; and around him and over his head appeared chalked inscriptions intimating "not for sale." This recess, which in reality is part of the olden building, is to remain; it is to be worked into the new house (a fire-office), to be erected at the corner of Bartholomew-lane.

7. A very considerable and painful excitement took place in the archbishop of Canterbury's palace, Lambeth, in consequence of a shocking and fatal occurrence happening amongst the numerous workmen who have been employed for some months past in the repairs and embellishment of the venerable edifice. It appeared that in the morning the painters repaired to

their work as usual, most of whom had been out holyday-making the previous night, and had not had any rest. Owing to the intensity of the cold, they heated a large pan of charcoal in the rooms they were at work in, and during the morning several of them fell asleep, owing to want of rest the previous night. Between eleven and twelve o'clock, the foreman of the workmen discovered several of his men sleeping in the room in which the pan of charcoal was burning. At the time the effluvium was so great that it sensibly affected the breath, the doors having been closed for a considerable length of time. It was with the utmost difficulty that the men could be roused, the vapour of the charcoal having taken a deadly effect upon their senses. Two of them were apparently lifeless. On the circumstance being made known to his grace's household, every necessary precaution was immediately taken to preserve their lives. Two medical gentlemen were promptly in attendance, who for a considerable length of time adopted such measures as they thought expedient to bring about restoration. After the lapse of some time one of the men was restored to sensibility, but all human efforts proved unavailing with the other unfortunate man, life being quite extinct. The name of the deceased was John Thomas Dobinson. He was a painter, and twenty-three years of age. It is supposed, although not fully proved, that the unfortunate deceased was in a state of intoxication at the time he fell asleep.

8. Fatal Accident on the Midland Counties Railway.—A serious and fatal accident occurred on the Midland Counties Railway between two and three o'clock in the morning. It appears that a down luggage train left Rugby for Derby at twenty minutes past nine o'clock the previous night; but, owing to the severity of the weather, between Leicester and Derby the engine pipes were frozen up, and the train consequently unable to proceed. It is said, that when the stoppage took place a signal-lamp was placed in the rear of the train; but the precaution, if adopted, unfortunately proved of no avail. The mail-train from London started from Rugby to Derby (the point at which it leaves the Birmingham line), at one o'clock P.M., being then three hours and forty minutes behind the goods' train. The distance between Rugby and Derby is between forty and fifty miles. Notwithstanding the advance of the luggage train, and the precaution said to have been taken of holding out a signal light when within a few miles of Derby, the mail down train ran in upon the luggage carriages, and the consequence was, that the engine of the mail train was thrown off the trams, and the engine driver and stoker precipitated on to the line, and both killed on the spot.

Royal Cheese.—The farmers and yeomanry of the parish of West Pennard, near Glastonbury, in Somersetshire, about fifteen miles from Cheddar, are about to present to her majesty an enormous cheese, made on the 28th of June, 1839, from the united milk of 737 cows, one meal's milking as it is called from each cow. This immense cheese weighs nearly 11 cwt.; it is in shape an octagon; in height it is 22 inches, and it measures across 3 feet 1 inch. The upper surface of the cheese is ornamented with the royal arms,

deeply impressed and very well executed. The arms are surrounded with a wreath of oak leaves and acorns, and laurel; the rose, thistle, and shamrock, are also embossed upon the surface.

This Leviathan of a cheese, which had arrived in London, and was to have been placed on the royal table at the christening of the princess royal, unluckily "got into Chancery." A split in the camp having occurred among the proprietors of the cheese, a part of them had a model made of it and sent to London for the purpose of exhibition; the other proprietors finding what had occurred, immediately had the original transported thither. The model, which had been placed in the Egyptian-hall, Piccadilly, for the purpose of exhibition, was ejected therefrom *vi et armis* by the other parties, and the original placed there in its stead. In consequence, an injunction was applied for to the court of Chancery to restrain the parties from exhibiting the original, which was granted.

Fire at the Premises of the General Steam Navigation Company, Deptford.—About twenty minutes before twelve o'clock at night, a most destructive fire broke out in the extensive range of buildings belonging to the above company, situate on the shore of the Thames, and adjoining the Deptford creek, which at one time threatened to be in magnitude one of the largest fires with which the metropolis had been visited for several years. The buildings and ground attached to the place occupy between three and four acres, and are bounded on the south side by a long narrow place called Pleasant-row, one side of which is filled with small tenements, three of which are injured, and on the east and north by the river, while the west, or the entrance, is situate in the Lower-road. The various buildings consists of the felting-shop, the sailmaker's shop, the boiler-maker's, the smith's shop, the old store-room, the oil-shop, and the old timber and oakum-room. Independent of these is a large and most extensive new store-room, several hundred feet in length, and which, like the other places, was filled with goods and property of every description; while, in a kind of basin, were the Countess of Lonsdale, Neptune, Columbine, and the old Eclipse steamers, all of which, at the time of the fire, were completely dry, the tide having run down.

The tide being out, no water could be procured, and nearly the whole of these extensive premises were destroyed.

11. Singular and melancholy Death of Samuel Scott, the American Diver.—Shortly after two o'clock, great excitement pervaded the western portion of the metropolis, by a rumour that Scott, "the American diver," who had of late become so notorious by his extraordinary feats, had met with his death during the performance of his customary evolutions prior to taking his dive from the summit of Waterloo-bridge into the Thames. It appears that in the morning a placard, of which the following is a copy, had been posted throughout the metropolis:—

"Challenge to the world for 100 guineas! Monday next, Jan. 11th, 1841, and during the week, Samuel Scott, the American diver, will run from Godfrey's, White Lion, Drury-lane, to Waterloo-bridge, and leap into the water, forty feet high from the bridge, and return back within

the hour, every day during the week, between one and two o'clock. S. Scott will be in attendance every day at the above house, open to any wager."

This notice drew, long before the time appointed, thousands of persons to Waterloo-bridge, and at five minutes past two o'clock Scott, accompanied by several persons, arrived on the bridge. He was merely attired in a blue striped shirt and white canvass trowsers, and had on neither shoes nor stockings. On his arrival there could not have been less than from 8,000 to 10,000 persons assembled upon the bridge and along the banks of the river to witness his extraordinary performance. Immediately over the second arch on the Middlesex side, and nearest to Somerset-house, was erected a species of scaffolding, composed of two upright poles, and three others crossing them at intervals of about four or five feet, the entire height of which above the balustrades being about ten feet. Scott appeared as usual, firm and undaunted, and made several jocular remarks to those around him. Having ascended the scaffolding, he attached the rope he carried with him, which was about ten feet long, to the uppermost cross pole, and after placing some tin boxes round the necks of several of his friends who were to collect money for him, proceeded to commence his performance. He first put his head into a noose of the rope, and suspended himself for a minute or two; after which he placed his feet in a similar position, and swung with his head downwards. He again mounted the top beam of the scaffold, and, taking a handkerchief off his head, placed it on the top of one of the perpendicular poles. He then seized the rope, and placing it round his neck, exclaimed at the top of his voice, "Now I'll show you once more how to dance upon air before I dive." The unfortunate man again let himself down to the extremity of the rope with his head in the noose, but had scarcely hung more than three or four minutes, when a person named Brown observed that he much feared the man had hung himself in reality, as animation appeared suspended. To this one of Scott's friends replied, "Oh, he has not hung half his time yet." In two or three minutes after, however, shouts were heard in all directions of "Cut him down." Mr. Brown immediately ascended and raised the poor fellow's arm, which, on being let go, fell heavily back to its original position by his side. This gave convincing proof of the suspension of animation, and renewed cries were raised from all quarters of "Cut him down, cut him down." Some time elapsed before a knife could be procured, and then two persons ascended the ladder, and, with the aid of some of the F division of police, succeeded in cutting the man down. Mr. Havers, surgeon of the York-road, and another medical gentleman who happened to be upon the spot, immediately stepped forward and opened the jugular vein, and also a vein in the arm, but only a few drops of blood followed; and to all appearances Scott was lifeless. A cart was then procured, in which he was conveyed with all possible speed, followed by hundreds of persons, to Charing-cross hospital. On his admission, it was ascertained by Dr. Golding, the senior physician of the institution, that life was not quite extinct. Under that gentleman's direction,

the unfortunate man was, in the first place, subjected to the galvanic process; secondly, cupped between the shoulders; and then, lastly, placed into a warm bath, in which he had been but a few seconds when it was ascertained that the vital spark had fled.

A coroner's inquest was held upon the body, and the jury returned a verdict of "accidental death."

12. MURDER AND MUTILATION OF A CHILD.—Mr. Carter, the coroner for the eastern division of the county of Surrey, held an inquest at the King's Arms, in Roupell-street, Waterloo-road, on the body of an infant whose mutilated remains were discovered on Friday afternoon, wrapped in a brown paper parcel, and deposited on the ledge outside the parapet of Waterloo-bridge.

The first witness called was,

Capt. John Lewis Preston, who stated that he was in the service of the king of Prussia, but was an Englishman by birth. He deposed that he was passing over Waterloo-bridge, from the Middlesex side, on Friday afternoon, at about one o'clock, and when a little more than half way along the bridge, he saw a short stout woman come out of one of the recesses on the left hand side, and proceed along the bridge in the same direction as that in which he (witness) was going; that was to say, towards the Waterloo-road. Witness took no further notice of this woman, nor was there anything in her appearance or manner to excite his attention. He supposed she had been standing on the seat in the recess and looking over into the river. When witness came up to the recess which the woman had left, he also took an opportunity of looking over the parapet, and on doing so he saw a brown paper parcel lying on the ledge outside the parapet. He endeavoured to hook up the parcel with his walking-stick, but found it so heavy that he failed in accomplishing it. Two strange gentlemen then came up, to whom he communicated the circumstance, and shortly afterwards a labouring man arrived at the spot. The last mentioned person got over the parapet, and, with the assistance of witness, reached the parcel and threw it over to witness. The paper was secured by a pin only. The parcel was opened and found to contain the mutilated remains of an infant wrapped up in a towel and a sheet. (The witness here described the portions of the body and their appearance as they were found.) Witness made no examination of the sheet or the paper. Could give no other description of the woman he had seen coming out of the recess than that she had on a large cloak, and was a short stout woman.

Mr. John Havers, a surgeon, read a written statement, which was received as part of his evidence. The body, he said, had been severed into eight portions, all of which he described with great minuteness. The head was separated from the trunk; both the lower arms were separated; there were several wounds on the head and other parts, which appeared to Mr. Havers to have been made by some sharp instrument. Some of the vertebræ were fractured, and the neck appeared as if it had been stretched at the time of the head being severed. Some of the vital parts and the lower members were missing.

With reference to the idea that it might have been used for ana-

tomical purposes, he was of opinion that such had not been the case, although he was aware that one of the wounds had been spoken of as one which would or might have been made for the purpose of anatomical investigation; yet, taking the whole of the circumstances into consideration, he was convinced that it was not so, and this opinion was further strengthened by the appearance of the clothes in which the body was wrapped, and which he had carefully examined.

The jury, after a short consultation, returned a verdict of "Wilful murder against some person or persons unknown."

The Nile now wears the aspect of an European river. It is to be seen constantly traversed by four steam-boats conveying mails and passengers. That of Mr. Galloway is the most rapid; it made the passage from Boulac to Rosetta in seventeen hours less time than the pasha's steamer. On the Nile are also three gun-boats with the Roman flag flying over them; they have on board the columns from Upper Egypt, which Mehemet Ali has given to the Pope. The Arabs gaze with astonishment at these flags, which represent St. Peter and St. Paul at full length, with flowing beards, and ask whether they are not standards of the Jews, as the countenances of the figures are decidedly Jewish.

Political Economy. — The following letter has been addressed to the officers of the different courts of law:—

Stationery Office, January, 1841.

"Sir,—I have the honour to inform you, that the lords of the Treasury have returned to this office the entire *Almanack* frames furnished to their office at the commencement of last year, with the *Imperial Calendars, Army and Navy Lists, Court Guides, Directories*, &c., furnished to them in the course of the last year, retaining only one or two copies of each for further and occasional reference.

"It is their lordships' wish that the course now adopted by the Treasury should be followed by your office, and by every other office in the metropolis; and I beg, therefore, that you will give orders that I may be furnished with a list of all the old and useless stores of every description, such as *Almanack* frames, *Calendars, Directories, Army and Navy Lists*, casks and bottles for holding ink, pens, and penknives, &c., that you may have on hand, of the supplies made to your office during the last and former years, after retaining as many copies as may be required of the *Calendars, Almanacks*, &c., for future reference and consultation. On my being furnished with such list, I will direct a cart to call at the office and fetch the stores away.

"It is intended, on the stores being collected here, to sell such as cannot be again used to the highest bidder, and to apply such of them as may be again used, as the ink-bottles, casks, and *Almanack* frames, to further service.

"I beg further to state, that it is not intended to issue any fresh *Almanack* frames for some years to come, as those now in the hands of the different offices will necessarily last for at least five or seven years; and it is also intended that in future the old or used pens shall be returned to this department; and I have to request that you will give the necessary directions for their being taken care of, and

sent thither with the other old stores.

"These measures being intended to obviate waste, and to introduce due order and regularity into an important department of the public expenditure, will, I have no doubt, meet with your zealous co-operation.

"I have the honour to be, sir,

"Your most obedient servant,

"J. R. M'Culloch,

"*Comptroller.*"

"Driver" War Steamer.—The following account of the Driver will show that the Admiralty are quite alive to the importance of steam as a new element in naval warfare. She is a most majestic vessel, of the same class as the Cyclops and Gorgon, lately found so effective in active service. She is to be fitted with two engines of 140 horse power each, and her tonnage is about 1,400, and is already commissioned. She will be furnished with two long 98-pound guns on her upper deck, working on swivels, besides other guns of a large calibre on her lower deck. The peculiar build of the vessel and the improvements in the engines will, it is stated, place her on a perfect equality with those war steamers.

16. Dreadful Inundation.—The quantity of snow which fell during the afternoon and evening of Thursday last caused a great impediment to travelling on the Western road; but the chief obstruction was between Devizes and Marlborough. The whole of the night up-coaches, with the exception of the mail, proceeded but a few miles on the London road, and returned to Devizes. On the Friday, the down-coaches were seven or eight hours behind time; and some of the coaches were six times dug out of the snow near Calne.

In the afternoon of Saturday a rapid thaw took place, and between four and five o'clock the waters from the surrounding hills rushed like a torrent into the village of Shrewton, destroying in its course twenty-eight cottages, and rendering upwards of 150 persons houseless. Such a scene of devastation by water, within so short a space of time, and over so small a compass, has perhaps never been witnessed in England. Some of the cottages were swept entirely to the ground; portions of the walls of a few, and of the roofs of others, remained standing, but all a complete wreck. Three lives were lost during the evening; and had the flood taken place an hour or two later, ten times that number would probably have been sacrificed. In the adjoining village of Maddington seven cottages were destroyed. The water in some parts of the villages was seven or eight feet high; in others four and five feet. In short, the whole place presents a picture of devastation.

At Orcheston, the road for a considerable distance was excavated by the waters to the depth of four feet, in as straight a line as if drawn by a rule, and hundreds of feet of earth thrown up, which form an excellent embankment.

—Inundation at Brentford—Immense destruction of Property, and loss of Life.—Considerable excitement prevailed throughout the western portion of the suburbs, in consequence of the circulation of a report, that during the night of the 16th, a most fearful inundation had occurred in the town of Brentford, occasioned by the bursting of the banks and locks on the Grand Junction Canal, which had been attended by the

destruction of property to the value of nearly 100,000*l.*, and the carrying away of several houses by the stream, as well as the loss of many lives.

The Grand Junction Canal joins the river Thames southward of the town of New Brentford, running at the rear of the town on the south for some hundred yards, when, turning short to the right, it divides New Brentford from Isleworth parish at Brentford-end, and proceeds on towards Southall. On the north side of the high road, which crosses the canal by means of a strongly-built stone bridge, it is joined by the river Brent, which passes thence through Hanwell, Perivale, &c., towards Harrow, and the immense body of land-water occasioned by the rapid thaw which poured down from the country, swelling the stream of the Brent, caused the catastrophe.

The water was first observed to be slowly rising about half-past twelve o'clock on the night of Saturday the 15th, but no fears of an inundation being entertained by the persons residing near, they retired to rest, little dreaming that they would be so soon aroused from their slumbers. Towards two o'clock, however, police-constable Smith, T 60, who was on duty near the bridge, observing the water still increasing and rushing with great force to the Thames, awakened some of the boatmen belonging to what are called "monkey boats," large numbers of which were moored off the different wharfs abutting on the canal, and cautioned them to be on the alert for their own security. At that time, and even up to half-past three o'clock of Sunday morning, immediate danger was not apprehended, but a few minutes before four o'clock a loud noise was heard to the north of the town, which momentarily approached nearer and nearer; and it was soon ascertained that the narrow stream of the Brent had swollen into a mighty river, and overflowing its banks, was pouring itself into the already increased waters of the canal. Numbers of boats, barges, and lighters, were instantly torn from their moorings, and driven with great force through the bridge, towards the Thames. At the same instant, also, the accumulated waters having overflowed all the premises north of the high road, burst with frightful force through two avenues by the houses of Mr. Brasher, near the bridge, and Mr. Farrell, directly opposite the church, filling the lower rooms of the houses. The police immediately sprang their rattles, and lost no time in awakening the inhabitants to a sense of their danger; and where some were too deeply buried in sleep to be aroused by the knocking, they forced the doors open. It is impossible to describe the scene at that moment. Men, women, and children, many of them in their night clothes, were running in all directions for places of shelter, while the roaring of the water, added to the screams of the terrified inhabitants of the boats, and of the individuals inhabiting the numerous cottages running south of the town down to the water side, were most appalling. In a very short time, all the houses at that portion of the town were flooded; and there is no doubt that the whole, not only of New Brentford, but also of Old Brentford, would shortly have been under water, had the stream not found itself an outlet at the bottom of Church-alley, by razing the wall

of the extensive nursery grounds of Messrs. Ronalds, and another wall at the southern extremity of the grounds, by which it joined the canal near its outlet to the Thames.

Above the bridge the damage was not so extensive as below it. Below the bridge, a short distance on the right, five large barges were driven by the force of the water against the wharf of Mr. Fowler, an extensive wharfinger at Brentford-end, and swamped, some lying over others. They were laden with 1,300 quarters of corn and 350 quarters of linseed; but it was nearer to the mouth of the outlet of the Thames that the greatest damage was done, and a scene of shipwreck unparalleled so far inland presented itself. The spot in question is at the bottom of the Boar's Head yard, a turning leading from the high road, nearly opposite to the market-place, down to the canal. Off this spot the canal passes through some meadows, and there is a foot bridge across it, and near that bridge were piled up craft of various descriptions to the number it is said of fifteen. There would no doubt have been more, had not the pressure of the water forced down a large portion of the wall of the grounds of the duke of Northumberland, by which the pent-up water obtained an outlet, carrying with it four or five barges. Some of these vessels were topsy-turvy, others were on their sides, and portions of five could be distinctly seen above the water, piled on the top of each other.

At other parts of the canal several barges and lighters foundered, and many sunk. The barge "Susan," the property of Mr. Scheel, lighterman, of North Hyde, near Southall, was knocked to pieces, and the body of one of the persons on board of her, named William Spruce, about seventeen years of age, was picked up, jammed between the rails at the bottom of Catherine-wheel-yard, covered by some tarpaulin. It was immediately conveyed by the police to the Catherine-wheel public-house, in the high road, to await a coroner's inquest.

20. Accident on the Gloucester and Birmingham Railway. — A railway accident of a serious nature occurred on the Gloucester and Birmingham line, which proved fatal to one of the company's stokers. It appears the five o'clock down train from Birmingham, shortly after passing Eckington, came in contact with a large mass of earth and gravel, which had slipped from the embankment at the side, and fallen across the line. The engine and tender were immediately thrown off the rails, dragging with them the train, which consisted of several carriages. The engine was driven with great violence into the bank, and broken to pieces; but excepting the damage which the springs of the carriages received from the concussion, the whole of them escaped injury. The engineer was thrown to some distance into the road, and so escaped with a few slight bruises, but the stoker, who at the time would seem to have been standing on the platform between the engine and tender, unfortunately fell between the two machines, and had both his legs broken. Assistance having been procured, the carriages were got again upon the rails, and the train proceeded on its journey, but did not, in consequence of the delay, reach the

Lansdowne station until near eleven o'clock—full three hours after its time. None of the passengers, happily, sustained the slightest injury. The unfortunate stoker was conveyed to the Gloucester Infirmary, where he expired shortly after his arrival.

22. A deplorable event occurred at Portachulia, in Clare Island. Two boats, returning to port, were overset by a sea in attempting to land, and the entire crew of one boat, consisting of Phelim Toole, Patrick Toole, Edmond Toole, Peter Malley, and Charles Malley, were drowned, and two men of the other boat, P. Needham, and Dominick Bradshaw, only, escaped, and Ant. O'Donel, Peter O'Donel, Patrick Needham, and Michael Conolly were drowned—making in all nine fishermen lost, who have left many widows and orphans to deplore their loss.

23. About seven o'clock in the morning a most distressing accident occurred off Vauxhall bridge, attended with the loss of one life and the narrow escape of a second. It appears that on the afternoon of Friday a barge named the Three Brothers, belonging to Mr. Robert Mallett, of College-street, Pedlar's-acre, the individual who perished, had been up to the ballast machine off the Red-house, Battersea, for ballast. In this barge were the deceased and a lighterman, of the name of Robert Cane. They left the ballast machine between five and six o'clock, and were coming down very slowly, while, at a short distance off, in another barge was William Mallett, brother of the deceased, who was loaded in a similar manner. On nearing the bridge, the Three Brothers by some means was too far southward, when, in the attempts made by the deceased and Cane to get into the proper current, the stern of the barge got into a dangerous whirlpool, which is well known to those whose business is on the river. In an instant the barge whirled round, and came with a tremendous force against the abutments of one of the arches, and instantly went down. The deceased at that instant was making a back stroke, when, being thrown off, the handle of the oar appeared to strike him a violent blow on the chest. The feelings of the brother, who was within sixty yards, can be better imagined than described, for he saw his brother in the water without being able to render the slightest assistance. The deceased struggled but a few seconds before he sank to rise no more. Cane swam ashore in a very exhausted condition.

23. Death of Hatfield the Lunatic.—James Hatfield, who was tried at the Old Bailey, in the month of September, 1802, for firing a loaded pistol, in Drury-lane theatre, at his majesty king George III., and acquitted on the ground of insanity, died in Bethlehem Hospital, in the 69th year of his age.

24. Collision at Sea.—Two Vessels Lost.—Intelligence was received in the city of the total loss of the schooner Robert, of Goole, and the Hunter, of Sunderland, (a trader) with a cargo valued at 5,000*l.*, which occurred on the night of Sunday, the 24th, in the North Sea, by the vessels coming into collision. The disaster took place near Inner Dowsing sands, some distance from Bridlington Bay, a seaport situate in East Yorkshire, at about half-past ten o'clock. From the particulars received, it appears that at the

time the wind was blowing a gale from the westward, and the night was extremely dark. The Hunter, which was a fine-built vessel, left the Thames for Sunderland in the early part of last week, and at the period above-mentioned was bearing under press of sale at a rate, it is supposed, of seven or eight miles an hour. The other vessel, the schooner Robert, was on her voyage from Goole to London, and was proceeding at a similar rate. It is stated, there was a good look-out kept on both sides, and that they did not perceive each other until within 200 yards; and although the crews strained every nerve to avoid a collision, they came in contact with tremendous force. The collision must have been truly awful; the hulls of both were driven in, and it was a considerable time before they could be extricated from each other; and, on that being effected, it was discovered that both were sinking. The consternation that ensued amongst those on board each vessel can be better imagined than described. Some were asleep in their berths at the time, and were compelled to rush upon deck in their night clothes. The boats of each vessel were as quickly as possible lowered into the sea, which being done, the crew threw what little property they could save into them, and then got in themselves. The masters were the last on board. Within ten minutes after, both vessels went down headforemost in deep water. The crews kept close together, and in the course of the night were picked up by the brig Halifax, from Newhaven, Captain Jones, master, who treated them with great humanity, and safely put them on shore at Bridlington.

26. Opening of Parliament. —An immense concourse of persons assembled upon occasion of her majesty's opening parliament in person. Long before two o'clock the whole line from Buckingham palace, through St. James's park, along Whitehall, and Parliament-street, leading to the house of lords, was one continuous mass of the inhabitants of the metropolis, and of all classes. The windows of the houses in Parliament-street, Whitehall, and Richmond-terrace, were occupied by fashionably dressed ladies, while on Richmond-terrace and on the steps at the base of the duke of York's column were immense bodies of people. About the time that her majesty left Buckingham palace the sun shone forth and the clouds dispersed, which tended much to enliven the gorgeous spectacle. The *cortège* consisted of five carriages, containing the attendants upon royalty, and the state carriage, in which were her majesty and prince Albert, who sat on her right, and the master of the horse. The queen's body guard was formed of the royal horse guards (blue). When the queen's carriage reached the outside of the marble portico, her majesty was most enthusiastically cheered, and the same demonstration of respect continued throughout the progress of our sovereign to the house of lords. Her majesty's return to Buckingham palace was hailed with demonstrations similar to those bestowed upon her approach to the house of lords. After her majesty entered Buckingham palace the military left the park, the various divisions of the police soon followed, and shortly after the park was cleared of the mass of persons with which it was thronged.

—Antiquities.—The *Commerce*

states, that a curious discovery has been made near Arnaval, in the department of the Meurthe, highly interesting to antiquaries. A ploughman having broken the sock of his plough against an enormous stone, the proprietor of the field was advised to make an excavation round the stone, and having done so, discovered a deep cave, in which were found five stone coffins filled with skeletons; each coffin measured two yards in length and one yard in breadth. Not far from the same place was found a small piece of money, on which was stamped the word "Moussa." An antiquary who has examined this coin states, that an Arab chief, named Moussa, carried his victorious arms into the south of France in the year 712; and, according to the Arabian historians, Moussa intended, after having subdued France, to return to Damascus, to the Califf Valid his master, by crossing through Germany, the Dardanelles, and Asia Minor, threatening to convert the Mediterranean into a large lake, which would serve as a mode of communication with the different provinces of his gigantic empire. These ambitious schemes were thwarted by the resistance of Eudes, duke of Aquitania, in 724. Those tombs, those coffins, and this Arabian coin struck in the name of Moussa, appear to countenance the idea that this Arabian chief had attempted to realise his plans of conquest.

25. Suicide of a Sentinel in Chatham Dockyard.—An inquest took place at Chatham, before Mr. Hind, coroner, on view of the body of Joseph Martin Lakton, aged 31, a private belonging to the 80th regiment, who committed self-destruction under the following dreadful circumstances:—From the statements made by the several witnesses examined, it appeared that on Sunday night last, a detachment of the 80th regiment, quartered in Chatham garrison, were on duty in the dockyard. The deceased was one of the party. At about a quarter before three o'clock on Monday morning, the guard at the guard-house in the yard was alarmed by the discharge of fire-arms. He immediately gave information to the officer on duty, who directly, with a party of men, proceeded to ascertain the cause. On arriving at Anchor-wharf, they were surprised at not perceiving the sentry at his post, and, on search being made, they discovered him (the deceased) lying in the sentry-box covered with blood, which was gushing forth from wounds in his stomach and back of the neck. Medical assistance was instantly sent for, and the deceased was carried to the guard-house, when he was found to be dead. It further appeared that the deceased had shot himself, by placing the muzzle of his musket to his chest, and touching the trigger with the bayonet. The ball entered the pit of the stomach, passing out at the back of the neck, and through the top of the sentry-box. The jury returned a verdict of "Insanity."

30. Fire.—Between three and four o'clock in the morning, the inhabitants of Tothill-street, Westminster, and its vicinity, were aroused from their beds, and thrown into the utmost consternation and alarm, by the sudden outbreak of one of the most serious fires that ever occurred in such a crowded neighbourhood. At the hour above mentioned, one of those unfortunate women by whom the Almonry is inhabited (situate at the south

side of Tothill-street) discovered the appearance of flame burning in the premises of Mr. Rowland Ames, tool-maker, whose warehouses, and workshops, &c., form an extensive range of building on the south side of the Almonry, the entrance being by gates from a narrow street at the back. The moment the flames were discovered, an alarm was given; a strong detachment of the B division of police hastened to the spot, and were almost immediately followed by the arrival of several fire-engines. While aid was thus momentarily arriving, and before any of the engines could be brought into play, the flames gained great ascendancy, and appeared to be making their way towards an adjoining timber-yard, where, had the enormous stacks of wood once become ignited there is scarcely any doubt that the whole of the Almonry, and several streets and narrow thoroughfares adjoining, would have been entirely laid waste; and it was only by the extraordinary exertions of the fire brigade, aided by the police, that the flames were confined within narrower limits. In spite of every effort, they continued to rage with great fury until about five o'clock, when the roofs of the workshops and warehouses, &c., fell in, all the property that was on the premises, to the amount of 1,500*l.*, having been completely destroyed.

— Interesting Antique — Head of a Roman Standard.— A curious bronze centaur (fixed on a square socket), evidently Chiron with the young Achilles riding behind him, and a pard or panther leaping up in front of the group, was lately found on the beach under the cliffs, near Sidmouth. It had apparently been washed up by the sea, and must have been a long time subjected to the attrition of a gravelly bed of marine pebbles, perhaps for many ages. The group is about eight inches in height, and evidently formed the top of a Roman standard or ensign. It is considered by an able and learned antiquary to have been the standard of the second legion in the reign of the great Roman-British emperor and admiral, Carausius, about 294 A. D., and to have been lost from some galley that was wrecked on the coast, or perhaps in opposing some descent either from Gaul, or the aggressions of the Saxon rovers in his time, by troops from the neighbouring posts at Sidbury (Tidortis) or Blackbury, near Wiscombe park. This legion was at that time called Parthica, and, the centaur appears on five of that emperor's coins as recording these troops.

— The late Dr. Simpson, of Worcester, who lately died at the venerable age of 85, has bequeathed the munificent sum of 15,000*l.* to the King's College of Aberdeen, where he received his university education; the sum of 500*l.* to the parish of Keith, and the like sum to that of Rothes, of which he was a native. The interest of the two latter sums is to be given to the parochial teachers of the respective parishes.

Loss of Life in Naval Actions.—The naval actions of the English have been always remarkable for the comparative small loss of life with which they have been gained; and in the estimation of the country this has always formed a principal feature of the public triumph. The loss at Acre was the smallest ever known in an affair of such magnitude; and, decisive as the victory was, it must be regarded with increased con-

gratulation, from its offering a hope that war (if such must come) may yet be carried on with diminished sacrifices to humanity. The following statement of the losses in the great principal actions since the beginning of the great war of the French Revolution, illustrates this subject. In lord Howe's action of the 1st of June, 1794, there were 26 sail of the line engaged, with 17,000 men. The total of the killed and wounded amounted to 1,078. In lord Bridport's action of the 23rd of June, 1795, there were 14 sail of the line, with 10,000 men. The killed and wounded were 144. In lord St. Vincent's action there were 15 sail of the line, with 10,000 men. The killed and wounded were 300. In lord Duncan's action, October, 1797, there were 16 sail (including two 50's) with 8,000 men. The killed and wounded were 751. In lord Nelson's battle of the Nile, 1st of August, 1798, there were 14 sail, with 8,000 men. The killed and wounded were 895. In lord Nelson's attack on Copenhagen, 2nd of April, 1801, there were 11 sail of the line and five frigates, with 17,000 men. The killed and wounded were 1,524. In lord Nelson's battle of Trafalgar, 21st of October, 1805, there were 27 sail, with 17,000 men. The killed and wounded were 1,524. In lord Exmouth's attack on Algiers there were five sail of the line and five frigates, with 5,000 men. The killed were 818. At Acre the loss amounted only to 18 killed and 41 wounded.

FEBRUARY.

2 WALSALL ELECTION.—The election for this borough terminated in the return of Mr. W. E. Gladstone, the conservative candidate: at the close of the poll the numbers stood—for Gladstone 362; for Smith 335; majority 27. Some disturbances took place during the polling, and the Scots Grays were called in, but no collision with the mob occurred.

—AWFUL FIRE.—A very disastrous fire occurred at Letterkenny, county Derry, by which a flax-mill, belonging to Mr. Mc Clelland, was destroyed, two persons burnt to death, and five seriously injured. At the time the calamitous event occurred there were at work in the mill, the owner, four men, and two girls—in all seven persons. About eight or nine o'clock one of the girls went out to enter the lantern, (which in flax-mills is prudently so constructed as not to admit of any communication with the interior of the mill, and therefore must be entered from the outside), to snuff the candle, which she did with her fingers, and on casting the snuff from her it entered a small crevice or mouse-hole, communicating, it would appear, with the floor of the mill, and falling through, rested on the very ignitable material with which such floors are usually covered, which immediately took fire. The blaze was observed by the owner, who instantly made an effort to extinguish it by throwing a leather apron over it, and thought he had succeeded, but in this he was mistaken, as in a second or two it burst forth with increased force, the motion of the wipers adding to the fury of the devouring element, and in a few minutes not only the flax in the mill, but the poor creatures themselves, who were covered with the waste of the flax, were enveloped in the flames.

At this time, as all hope of getting the fire under was past, a simultaneous rush was made to the door, which unfortunately had, contrary to custom, been locked by the girl on her return from snuffing the candle; and owing to the excitement consequent on their situation, now that they were literally roasting alive, joined to the sense of suffocation at this time experienced, it was some time before any one of them could lay his hand on the key—but this done the poor fellow, in his maddened eagerness to turn it, pulled it out of the lock and let it fall, thus protracting their sufferings, and rendering their situations still more perilous. But, as God would have it (a few seconds, or at most a very few minutes more, and all would have been over with them), the key was found, the door unlocked, and as many as could, rushed out, but some of them had to return to drag out the remainder of the sufferers, who, having been overpowered by the flame and smoke, had fallen down. All got out, but so dreadfully burnt, chiefly about the head and limbs, as to present the most harrowing spectacle of human suffering that can be well conceived, the faces of most of them presenting one mass of broiled flesh, having a cinder-like appearance. The owner, on getting out, cast himself on the ground, and rolled into a small stream of water which runs from the mill; and having thus extinguished the flames in which he was enveloped, though fearfully burnt, he struggled to reach that part of the dam where the water is let on to the mill, and contrived to turn it off the wheel, which facilitated the efforts now made to stay the progress of the fire in the mill, which, after some time, was completely subdued, but not before considerable damage had been done to the roof and the interior works. The sufferers were conveyed as soon as possible to their respective homes, where immediate medical aid was rendered by Mr. J. Rankin, surgeon, R.N. One of the poor girls, aged 17, died the second day after in great agony; the sufferings of her sister, who had just reached her 15th year the night of the calamity, were prolonged, but she also was released from them by death.

Relic of Murat.—A Russian journal mentions the following historical fact:—There has been found amongst the property of Colonel Tchernozoubof, lately deceased, a gold repeating watch, on the case of which are engraved the words, "Joachim Murat, Captain of Cavalry." A seal attached to the watch bears the inscription, "Eleonora to Joachim—Forget me not." Tchernozoubof, in 1812, when a simple cossack, received this watch from the king of Naples himself, the eve of the battle of Borodino, on the following occasion:—Murat at the head of some squadrons of cavalry, was driving before him a cloud of cossacks on the road to Mojaisk. Carried away by his impetuosity, he found himself near a group within half pistol shot. The cossacks were about to fire at him, when Tchernozoubof, who had recognised him, exclaimed "Present arms! hurrah! long live the king of the brave!" The cossacks, astonished, obeyed his command. The king of Naples galloped up, and handed his watch to Tchernozoubof. The Hetman Platoff having been informed of this fact, conferred the rank of officer on the

soldier, and created him his aide-de-camp. The present Hetman Vlassof wished to purchase this watch in order to present it to the heir of the imperial throne, and offered 20,000 rubles for it; but nothing could persuade Tchernozoubof's family to part with this glorious relic.

THE BRITISH TROOPS AT CHUSAN.—The sickness and mortality among the British troops at Chusan have caused the loss of ten times more men than have fallen in actual combat with our singular enemy. The following report of the strength and condition of our force has been published in the *Canton Register:*

Landed		3,650 troops.
		Strong.
18th or Royal Irish, embarked from England and Ceylon		560
Died on the passage	30	
Died in Chusan	37	— 67
		493
Sick in the hospital		169
On duty	324	
26th or Cameronians, embarked from Calcutta		904
Died on the passage	10	
Died in Chusan (of whom 50 died in October)	103	—113
		791
Sick in the hospital		551
On duty	240	
49th or Hertfordshire, embarked from Calcutta		659
Died on the passage	9	
Died in Chusan	41	— 50
		609
Sick in the hospital		148
On duty	461	
	1,025	
Artillery Europeans, embarked from Madras		210
Died in Chusan	6	— 6
		204
Sick in the hospital		78
On duty	126	
Total of British troops on duty	1,151	
Artillery (natives) embarked from Madras		79
Sick in hospital (no deaths)		14
On duty	65	
Sappers (natives) embarked from Madras		283
Died (of *coup de soleil*)		1
		282
Sick in the hospital		56
On duty	226	
Bengal Volunteers embarked from Calcutta		888
Died on the passage	12	
Died in Chusan	51	— 63
		825
Sick in the hospital		231
On duty	594	
Total native troops on duty	885	
Total British troops on duty	1,151	
Grand total	2,036	

Chusan, Oct. 22, 1840.

5. PRINCE ALBERT AND THE LITURGY. — "At the court at Buckingham palace, Feb. 5, 1841; present, the Queen's most excellent majesty, in council.

"Whereas by the late act of uniformity which establisheth the liturgy, and enacts that no form or order of common prayer be openly used other than what is prescribed or appointed to be used in and by the said book, it is, notwithstanding, provided, that in all those prayers, litanies, and collects, which do anywise relate to the king, queen, or royal progeny, the names be altered and changed from time to time, and fitted to the present occasion, according to the direction of lawful authority. Her majesty was pleased this day in council to declare her royal will and pleasure, that in all the prayers, liturgies, and collects for the royal family, the words "the prince Albert," be inserted immediately after the words "Adelaide,

the queen dowager." And her majesty doth strictly charge and command, that no edition of the common prayer be from henceforth printed, but with this amendment; and that in the mean time, till copies of such edition may be had, all parsons, vicars, and curates, within this realm, do (for the preventing of mistakes), with the pen, correct and amend all such prayers in their church books, according to the foregoing directions; and for the better notice hereof, that this order be forthwith printed and published and sent to the several parishes, and that the right rev. the bishops do take care that obedience be paid to the same accordingly."

7. Destruction of Camberwell Old Church by Fire.—A few minutes before twelve o'clock a light was observed by a policeman on duty, in the gallery of this venerable structure; and, supposing from the flickering of the flame that thieves had broken in, he informed the clerk, who resides adjacent to the church, of his suspicions. The clerk lost no time in procuring the keys, and on opening the church-doors it was found that the gallery was on fire, near the organ. The flames, owing to the sudden opening of the door, spread with greater rapidity, and communicated to the organ, belfry, and the other portions of the fabric. The clerk then secured the books with the greatest difficulty, the smoke being so dense as to nearly stifle him.

The policeman raised an alarm, and roused up the inhabitants residing near the spot. The flames soon burst forth from the windows of the building, and presented a most beautiful appearance, the whole of the interior being one mass of fire. The beautiful square tower, with a peal of eight bells; the church organ, the pews, and the whole interior, fell a prey to the devouring element. About two o'clock the peal of bells fell with a loud crash, and were soon after followed by the roof, and nothing was left standing but the bare walls of this immense edifice, which was capable of holding between 1,000 and 2,000 persons. The fire was allowed to burn out unchecked, for no water could be procured from any source to work the engines which speedily arrived from London.

9. Accident to his Royal Highness Prince Albert.—About ten o'clock, as his royal highness prince Albert was skating on the spacious water in the grounds of Buckingham palace, his royal highness unfortunately passed over some rotten ice, which immediately broke under him, and he was immersed to the chin in water. The queen was a spectator of the accident, and was for a time greatly alarmed, but with great firmness, extricated his royal highness from his awkward predicament, with the only assistance of one of the ladies of the court.

10. Christening of the Princess Royal.—The ceremony of christening her royal highness the princess Royal was performed in Buckingham palace with every state and solemnity befitting the occasion.

In front of, and a short distance from, the altar was placed the font, new for the occasion, very elegant in its form, and exquisitely finished. Its base is divided into three compartments, one bearing the arms of her royal highness the

princess royal, in a lozenge, with supporters, and surmounted by her royal highness's coronet, the others having the arms of her majesty and prince Albert embossed. Over the coat of arms are cherubs executed in full relief. The body of the font takes the form of the water-lily, and supports a large shell, the rim of which, on the inside, has small water lilies floating on the edge.

The font is of silver gilt, and the water which it contained, and which was used for the ceremony, was brought from the river Jordan. The font was placed on a handsome circular table of marble, having the royal arms executed in Mosaic at the top. The table itself stood on a small raised platform placed on a large carpet of crimson velvet extending to the seats reserved for the illustrious sponsors and visitors. The carpet was embroidered with gold at the angles, and had also a deep gold border. Candelabra on gilt pedestals were on either side of the altar, and within the alcove were two cut glass chandeliers; another chandelier of the largest size was hung in the middle of the room, and candelabra on pedestals richly carved and gilt lined the sides of the apartment. The seats for the company were of crimson satin damask and gold.

His grace the archbishop of Canterbury performed the ceremony of christening the princess royal, assisted by the archbishop of York, the bishop of London, the bishop of Norwich, and the dean of Carlisle. The duke of Wellington officiated as sponsor on the part of his serene highness the duke of Saxe Cobourg and Gotha. The other sponsors were her majesty the queen dowager, her royal highness the duchess of Gloucester, her royal highness the duchess of Kent, his majesty the king of the Belgians, and his royal highness the duke of Sussex. The illustrious party were ranged round the altar, and the duke and prince George of Cambridge, and prince Edward of Saxe Weimar also occupied places in front. The mistress of the robes and the great officers of state were behind her majesty and prince Albert.

When the archbishop of Canterbury came to that part of the ceremony for naming the princess, her royal highness was given into his hands by her nurse. Her majesty the queen dowager then named her royal highness

VICTORIA ADELAIDE MARY LOUISA.

After the baptism the princess was returned to her nurse.

The service being concluded, the party retired, and shortly afterwards the whole of the company who had witnessed or officiated at the ceremony, went to dinner, which was served in the picture gallery, the band of the royal regiment of horse guards, who were there in attendance, playing "God save the queen," as the different members of the royal family entered the gallery.

— Fatal Accident on the Grand Junction Railway.—A frightful concussion took place at the Whitmore station, between the Manchester and Liverpool goods trains this morning, which was unhappily attended with the loss of the life of one individual and the destruction of a score or more fat pigs, in addition to the breaking to piecemeal of the waggons containing them. It appears that the up-luggage from Manchester and Liverpool is sometimes con-

veyed in one train, but oftener by two. The trains arrive in Warrington about the same time, and there the business of sorting the waggons, so as for each to be left at the proper station on the line, takes place. One train is despatched as soon as it can be got ready, and, in pursuance of the regulations of the company, the other is detained an hour or more, so as to remove as far as possible the danger attending a collision. On the previous evening (Wednesday) the weather had changed from a dry frost to a heavy sleet, which covered the rails with ice of full an eighth of an inch in thickness. This rendered them exceedingly slippery, and much retarded the rate of travelling on the line. The Manchester train, which consisted of upwards of twenty waggons, propelled by the Wildfire engine, left Warrington at twenty minutes past eleven o'clock at night, and the Liverpool train, consisting of nearly fifty waggons, propelled by two engines, the Briareus and Charon, at half-past one on Thursday morning (10th). The Manchester train, owing to the state of the line, was much retarded in its progress, and did not reach this station until twenty-seven minutes past four o'clock. The Liverpool train made much better speed, the obstructions caused by the ice on the rails being in some degree counteracted by the placing of two carriage loads of pigs and one luggage waggon loaded before the engines, and to this are attributed the fatal consequences that followed, it being generally believed that the luggage in front of the engines prevented the engineers from seeing the line before them, as they ought to have done. The Manchester train had two signal lamps attached to the last waggon, and while standing at the station here an alarm was given, at somewhat about twenty minutes to five o'clock, that the Liverpool train was advancing at a rapid rate on the same line as that on which the Manchester train was standing. Samuel Judd, one of the men employed about the station, called out most lustily, and did all in his power towards intimating to the engine-men of both trains their extremely dangerous position. Whether the engineers of the Liverpool train saw the Manchester train or not is a matter of doubt, but certain it is their speed was not sufficiently slackened, and, aided by the descent of the line at this particular spot, they came with frightful force against the waggons of the Manchester train. Both engines were slightly damaged; the two pig waggons were smashed to atoms, and, with the pigs, strewed about the line in every direction. One of the pig-drivers, James Nester, from Telsh, county Roscommon, was found amongst the pigs with his face covered with blood, one thigh broken, and otherwise injured. He was conveyed with all possible care to the railway-office, and an express sent to Newcastle for medical assistance, but the poor fellow never spoke, and just about the time of the arrival of Mr. Tait, the surgeon, he breathed his last. The other driver was also injured, but not so much so as to prevent his being removed to the infirmary at Stafford. Twenty-five of the pigs were killed by the concussion. The luggage waggons were only slightly injured, and, strange to say, the engineers kept their places on the engines, and were not hurt.

15. East Surrey Election.—The under-sheriff, Mr. Potter, having concluded his labours for the election of a member to serve in parliament for the eastern division of the county of Surrey, in the room of the late member, captain Alsager, announced to the electors assembled in the town-hall of Croydon, that the numbers at the final close of the poll were as follows:—

For Mr. Antrobus (conservative)	2,635
For Mr. Alcock (whig) ...	1,436
Majority	1,199

And he then declared Edmund Antrobus, Esq., of Cheam, duly elected one of the knights of the shire to serve in the present parliament for the eastern division of the county of Surrey.

The following was the state of the poll at the different polling places:—

	Antrobus.	Alcock.
Kennington ...	423	248
Bermondsey ...	362	251
Camberwell ...	313	156
Wandsworth ...	353	255
Croydon	479	217
Kingston	346	160
Reigate	359	149
Totals ...	2,635	1,436

Majority for Antrobus 1,199.

19. Collision at Sea.—Dreadful loss of Life.—It is impossible to describe the sensation produced all over the country by the following disaster:—

The American ship Governor Fenner, captain Andrews, which sailed from Liverpool on Friday the 18th, at noon, for New York, came in contact on the following morning, at two o'clock, off Holyhead, with the Nottingham steamer, from Dublin for Liverpool. The ship struck the steamer amidships. So great was the force of the collision that the ship's bows were stove in, and in a few minutes from the time of the vessels coming in contact she sank, the captain and the mate being the only persons out of 124 souls on board who saved their lives. The Nottingham was dreadfully shattered, but having been struck in her strongest part, the collision was not fatal to her.

Captain Andrews gives this account of this disaster:—

"We sailed from Liverpool on Friday last at noon, with the wind at S.S.W. The crew consisted of seventeen, and the passengers in the steerage amounted to 106. We had a full cargo of manufactured goods. On Saturday morning, at two o'clock, the wind blowing fresh from the S.S.W., and when the ship was under double-reefed topsails, the gib, spanker, and mainsail in, saw a steamer to windward on the larboard bow. The ship's helm was instantly put hard-a-port. The steamer crossed our bow, and we struck her right amidships. From the force of the collision, it was evident that either the ship or the steamer would sink, or perhaps both. Instantly I felt that the ship, the bows of which were stove in, was sinking. I cried out to the crew (all the passengers were below) to endeavour to save their lives. They, instead of running forward, through fear, ran aft. My first object was to endeavour to save the crew and passengers; but, so rapid was the sinking of the ship, I found it impossible to do anything to accomplish that object. I and the mate then ran forward, and, finding the ship fast sinking, I tried to jump

on to the steamer. Failing in my first attempt, through a momentary faintness, I made a second, and, just as the ship was at the water's edge, succeeded in grasping a rope which was hanging over the steamer's side. The mate saved his life by jumping from the fore-yard-arm on to the steamer's deck. In one minute the ship sank, with sixteen of her crew and all the passengers, amounting together to 122 souls. The steamer's boat was instantly lowered, for the purpose of making an attempt to save such of the crew and passengers as might be floating, but it unfortunately swamped alongside."

The wreck of the Governor Fenner was fallen in with the next morning by the Birmingham steamer, about sixteen miles from the Skerries, apparently split into two parts, and the cargo entirely washed out. Captain Church went on board the wreck. He found two men in the rigging, quite dead, though apparently not long so. The stern of the vessel was gone.

Receding of the Sea.—It is said that the sea is receding so rapidly from the bay of Bourg Neut, that the remains of an English ship of war, mounting sixty-four guns, which was lost on an oyster-bank called Les Retraites des Œuvres, whilst in pursuit of a French ship in 1752, is now to be found in the midst of a cultivated plain. In calculating the depth of the water where this vessel struck with its present level, it will be found that the depth of the sea has diminished at least fifteen feet.

Indian Mails. — The rapid transmission of the Indian post overland, and the difference of opinion as to the speediest and most eligible route, render the following particulars of the stages on the route by the Persian Gulf and the Euphrates very interesting:—

An extra mail despatched from Bombay *viâ* the Persian Gulf, on the 3rd of December last, in the Berenice steamer, captain Lowe, reached London on Wednesday under the charge of Mr. Charles Calvert, of Malta. This mail departed from Bombay Dec. 3rd, at 5 40 P.M.; arrived at Muscat, Dec. 8, at 10 15 A.M.; departed from Muscat, Dec. 9, at 11 A.M.; arrived at Karrack, Dec. 12, at 10 A.M.; departed from Karrack, Dec. 13, at 11 40 A.M.; arrived at Bussorah, Dec. 15, at 6 30 A.M.; departed from Bussorah, Dec. 15, at 11 25 A.M.; arrived at Bagdad, Dec. 22, at 11 30 A.M.; departed from Bagdad, Dec. 23, at 7 30. A.M.; arrived at Constantinople, Jan. 22, at 9 A.M.; departed from Constantinople, Jan. 28, at 2 P.M. having been detained six days and five hours in that city to wait for the French Levant packet.

— Suicide at Blackfriars-bridge.—Mr. Payne held an inquest at St. Bartholomew's Hospital, on the body of Thomas Henman, aged 26, a compositor.

William Brown, of 53, Salisbury-street, Bermondsey, said, that on Monday evening he was crossing Blackfriars-bridge, when he saw deceased tap a gentleman on the shoulder, and having said "follow me," cross the bridge. He then jumped on to one of the seats in a recess on the bridge, and flung himself over the battlement into the river. Witness looked over the bridge, and seeing deceased struggling in the water, he gave an alarm to a waterman, who succeeded in saving deceased from drowning.

Mr. Hutchinson, surgeon, of

Farringdon-street, said he was called to see deceased at the police-station, Black-horse-court, Fleet-street, but the proper conveniences for restoring suspended animation not being there, he caused deceased to be instantly removed to the Glazier's Arms (a station of the Humane Society), Water-lane. By using the proper restoratives for three quarters of an hour, he brought deceased to life, though all pulsation had ceased except a slight beating of the heart. His left arm being broken by having struck against the buttress of one of the arches of the bridge in his fall, witness counselled his immediate removal to that hospital.

Mr. Ware, house-surgeon, said deceased expired on Wednesday of great effusion of blood in the chest, caused by six broken ribs and a ruptured kidney, the effects of the fall.

Deceased's wife said he left home on Sunday evening, and she had not since seen him alive. He was much addicted to drinking, and very little would excite him so much, that more than once before he had attempted to destroy himself. He had told her that he should be out of work for the following week. At the age of sixteen he had been in a lunatic asylum.

Verdict, "Temporary Insanity."

Extraordinary Experiment. —An experiment of a new engine of war, of which mention had been made in parliament, and the merits of which have excited much controversy, has been made in the grounds of Mr. Boyd, in the county of Essex, a few miles from town, in the presence of sir Robert Peel, sir George Murray, sir Henry Hardinge, sir Francis Burdett, viscount Ingestre, colonel Gurwood, captain Britten, captain Webster, and some other gentlemen. A boat twenty-three feet long and seven broad was placed in a large sheet of water; it had been the day before filled in with solid timber, four and a half feet in depth, crossed in every direction, and clamped together with eight-inch spike nails. This filling in was made under the inspection of captain Britten, who stated the fact to the gentlemen present, and also that the inventor never went near the workmen employed, that no suspicion might be entertained of any combustible materials being lodged in the hold of the vessel. Several of the gentlemen were rowed in a punt to the vessel, and examined for themselves, so that every doubt might be removed as to the cause of destruction being external, and not from the springing of any mine. When the different parties had taken up their positions, on a signal from the inventor, the boat was set in motion, and struck just abaft her starboard bow, and instantaneously scattered into a thousand fragments. At the moment of collision the water parted, and presented to the eye the appearance of a huge bowl, while upon its troubled surface was noticed a coruscation precisely resembling forked lightning. A column of water was lifted up in the air like a huge fountain, from which were projected upwards, for many hundred feet, the shattered fragments of the vessel, which fell many of them several hundred yards' distance in the adjacent fields. The spectators examined many pieces, and found the huge nails snapped like carrots; the mast looked like a tree riven by lightning, and, they assert, never before had they witnessed so sudden and complete a

destruction, though they had seen shell and rocket practice on the largest scale. Such seemed to be the unanimous opinion of all present. How this mighty effect was produced was of course not disclosed to so numerous a party, but two naval officers present were perfectly aware of the mode of operation, and the inventor offered to go into details confidentially with one or two of the distinguished officers present. In answer to a question from sir Henry Hardinge, the inventor stated, that without a battering train he could transport on a mule's back the means of destroying the strongest fortress in Europe. No doubt this is very startling, but, as in every particular the inventor has done what he has undertaken to accomplish, it is only fair to give him credit for the performance of more than has yet been disclosed. The existence of these tremendous powers is placed beyond all doubt, and the inventor asserts them to be completely under his control, which, from what was observed upon the present occasion, appears to be really the case. The instrument that wrought so terrible an effect, lifting into the air a boat weighing two and a half tons, and filled in with five and a half tons of solid timber, and displacing at least fourteen or fifteen tons of water, was only 18 lbs. weight. It may be handled and kicked round a room when charged with its deadly contents, so portable and at the same time so safe is it—a point of vast importance, when the daily accidents that are occurring from the detonating shells now used in our service are remembered.

19. Destruction of Wynyard, the Seat of the Marquess of Londonderry.—The destruction by fire of this princely residence created a general feeling of regret. The fire is supposed to have originated from one of the flues bursting in the beautiful chapel, forming part of the west wing of the premises, and was observed by one of the gamekeepers about half-past eleven at night.

The alarm being immediately given, every exertion was made by his lordship's servants to arrest the progress of the flames, but without success. Mr. Hikely, the steward, then rode express to Stockton for the fire-engines there.

On their arrival at Wynyard, they found the whole of the west wing of the mansion, comprising the chapel, the conservatory, and the spacious ball-room adjoining, completely in a blaze. All hands, with the assistance of his lordship's servants, and the villagers in the surrounding neighbourhood, in an instant set to work. While some were busily engaged in preparing the engines to play on the premises, others were no less laboriously employed in removing all the valuables they could from the beautifully furnished rooms still untouched by the devouring element; and in a short time the lawn on the south side of the building was covered with mirrors of large dimensions, chandeliers, valuable paintings, and all kinds of furniture of the most costly description, besides nearly the whole of his lordship's extensive library, the volumes lying in a large heap.

Soon after one o'clock two of the engines were brought to play upon the rapidly extending flames, one of them being fed by the third engine, advantageously stationed close to the edge of the large fish-pond, situate at about fifty yards from the building, the other being

supplied by water from the same pond carried by various persons in buckets. Nearly all present were then zealously employed in using their utmost endeavours to arrest the progress of the flames, but to no purpose. The entire building, including the picture-gallery and the princely suite of rooms extending from the conservatory to her ladyship's *boudoir*, lined with satinwood, was in one general conflagration — red-hot rafters, beams, and cornices cracking and falling in all directions, and every window on all sides vomiting immense flames, which shed a bright light around, almost equal in brilliance to the splendour of day, while myriads of sparks rose from the interior of the building, and then descending, fell like a shower of fire upon the earth. The scene altogether, at this time, was awfully grand.

During the space of two hours the engines continued to play without intermission upon the advancing flames, but without effect. The fire had got too strong a hold, and, fiercely raging in a direction from west to east, first to one room and then to another, it appeared to be above all human control.

At length, the whole of the broadest part of the building being nearly consumed, and the greatest part of the roof having fallen in, the engines were removed to the east end of the premises, one on the south side, and the other on the north, comprising servants' bed-rooms, the servants' hall, kitchens, extensive stabling, &c. Here, in consequence of the building being a great deal more narrow, it was imagined the engines might play effectively. Another attempt was then made to hinder the flames from extending further towards the east, and at the expiration of two hours more, the engines playing well, this part of the property was fortunately saved from destruction.

With the exception of the east end, the building now presented to the eye a complete mass of ruins, nothing being left standing but the bare walls and the noble-looking colonnade at the north entrance. The orange and other trees in the conservatory were burnt to a cinder, and at one time, when they were enveloped in flames, their appearance was particularly singular and imposing.

The marquess and marchioness were in Italy, but returned to England instantly upon receiving intelligence of the disaster. No estimate can be given of the extent of the loss. The destruction of furniture, pictures, and articles of *virtú*, is inappreciable.

20. Funeral of Sir Astley Cooper. — The remains of this celebrated surgeon were removed privately from his late residence in Conduit-street, and were immediately deposited in the large dining-room of Guy's hospital.

At twenty minutes past three the procession left the right wing of the hospital, and crossed to the left wing, in which the chapel is situate, in the following order:—

Plume of Feathers,

The Coffin.

The pall supported by the eight following gentlemen:—

Mr. Justice Patteson.
Mr. Justice Coleridge.
Dr. Franks.
Mr. B. Harrison.
Sir Robert Inglis, bart., M.P.
Sir Henry Pelly.
Sir C. Price, bart.
Mr. M. Harrison.

Chief Mourners were:—

Sir Astley Cooper, bart. (the present baronet).
Mr. Astley Cooper.

The procession were met at the chapel-door by the rev. Mr. Travers, the chaplain of the hospital, who read the funeral service, and, after the conclusion of the chapter from St. Paul's Epistle to the Corinthians, the coffin was carried out of the chapel to be deposited in the vault beneath it, and into which the entrance is from the court-yard.

22. The late Severe Weather.—During the late severe weather the crew of a mackerel boat, Robert Carden, master, while making for Plymouth, came up with a revenue-cutter galley, having on board seven men, who all the time seemed resting on their oars. On examination it was found, however, that five poor fellows were frozen to death, and the remaining two were all but dead; they were, however, attended to, and recovered, when they were towed into Plymouth by Carden's boat. It is said that the poor men had been rowing along shore, when a strong breeze sprang up and drove them out to sea.

23. Coroner's Inquest.—An inquest was held before Mr. Wakley, the coroner, and a most respectable jury, at the King's-head tavern, Margaret-street, Cavendish-square, on view of the body of Mr. William West, aged 37, the eminent engraver of armorial bearings and heraldry, residing in the above street, whose death took place under the singular and melancholy circumstances detailed in the evidence.

Mr. W. Wool, of No. 38, Margaret-street, coach-builder, said, that he had known the deceased several years. He had, within the last five or six months, been labouring under an aberration of intellect, and was latterly under the charge of a keeper, confined in the third floor front room of his own house. On Saturday evening last, about twenty minutes past five o'clock, he was standing at his own door, conversing with a friend, when he was alarmed by hearing a loud crashing of glass. It being repeated, he ran into the road, and on looking up towards the place whence the sound proceeded, he observed the deceased gradually forcing himself through the squares of the window on the third floor of his house, the glass of which he had broken. He (witness) raised an exclamation of terror at the moment, knowing who it was, and the deceased's state of mind. He had scarcely done so, when the deceased got on to the window-cill on his knees. He instantly turned over and fell, coming in contact in his descent with the balcony of the second floor, then the balcony of the first floor, and then with great force on to the pavement in the street. He ran to the deceased, and, with the help of his assistant, carried him into his own residence, quite insensible and apparently lifeless. Medical aid was immediately procured, and it was found that his left arm and leg were broken, and his head dreadfully injured on the left side. He remained totally senseless until half-past nine on Sunday morning, when he expired.

The jury returned a verdict, "That the deceased died from the effects of injuries received by falling from a window; but whether accidentally or wilfully, there was not sufficient evidence to prove."

27. Falling of two Houses in Fleet-street.—Between ten

and eleven o'clock at night, the inhabitants of Fleet-street, and the numerous persons passing up and down the above street, were thrown into a state of the utmost alarm and consternation, by the sudden falling down of two houses adjoining the Dispatch-office, one in the occupation of a Mr. Dodson, and the other lately occupied by Mr. Bundy, trunk-maker. About six weeks before, the back part of the premises of Mr. Bundy was destroyed by fire, and which it is supposed, from the age of the walls, tended very much to undermine the stability of the front wall; but at the time the place was undergoing a thorough repair no notice was taken of the circumstance; in fact, there was not the slightest intimation of the accident until within a few minutes of its taking place. About ten o'clock, police-constable Gardiner and his comrade, who were on duty in Fleet-street, had their attention drawn to the house of Mr. Bundy, when, fearing that some accident was likely to occur, they prevented any persons from passing on the pavement, and alarmed the inmates of the house in the occupation of Mr. Dodson, all of whom, with the exception of a young man of the name of Myson, a tailor, got out. Shortly after, the front of Mr. Bundy's house fell out with a tremendous crash, bringing with it the front of Mr. Dodson's house, followed by the interior. So tremendous was the shock, that many of the inhabitants thought that the shaking of their houses was caused by an earthquake, and several of them rushed into the street, when they became acquainted with the cause of their alarm.

The ruins presented a very extraordinary appearance; for, from the extreme age of the buildings, the entire mass of brick and plasterwork appeared to have totally lost all coherence, and not one brick, beam, or rafter appeared attached to another. The two houses were reduced to a mere mass of rubbish.

MARCH.

1. Destructive Fire at Colnbrook.—Between the hours of one and two o'clock in the morning, an alarming fire broke out in the Crown Inn, at Colnbrook, which was attended with the destruction of a considerable quantity of property. On the previous evening the landlady, Mrs. Burt, had placed some sheets to air before a fire in one of the bed-rooms, and when retiring to rest, having neglected to remove them, they accidentally caught fire, and the bedclothes and other inflammable matter being soon ignited, the flames in a short time had so spread over the building, that the lives of the inmates were in the most imminent danger. As soon as assistance was procured, messengers were immediately despatched to Windsor, and the borough engine, and that belonging to the bank of Messrs. Neville, Reid, and Co., were immediately driven off to the scene of action by sergeant Dobson and a detachment of the Windsor police. In the mean time the parish engine had arrived, and with the united assistance of the three engines the flames were completely subdued about six o'clock.

2. Fire at the Victualling Yard, Deptford.—Between the hours of twelve and one in the forenoon, considerable sensation was created amongst the inhabit-

ants residing at Deptford, by the outbreak of an alarming fire in her majesty's victualling yard, which for a time threatened serious consequences. It commenced in a large kiln (a brick building about thirty feet in height) used for preparing oats for oatmeal, and, when discovered, the flames were issuing forth from the roof with fearful violence. The instant that the discovery took place, the alarm-bell was rung, and the whole of the military, police, and labourers engaged in the yard, as well as in the royal dockyard adjoining, were ordered immediately to the spot. The engines belonging to the establishment, eight in number, were conveyed to the scene, and instantly brought to play on the flames, which by that period had attained an alarming appearance, and the excitement and confusion that prevailed were exceedingly great. Immediately on it being known by the metropolitan police, a mounted express was despatched to London, and in the course of an hour returned with the brigade engines from Southwark-bridge-road, Watling-street, and other stations belonging to that force. In the interval, however, the fire, by extraordinary exertion, had been got under, and its ravages confined to the kiln, which has received much damage. The fire was caused by the overheating of the furnace under the kiln.

Postage.—The new postage law has not worked well in Ireland. By a late return the net revenue for 1840 was—in Great Britain, 441,000*l.*, in Ireland, 6,664*l.*—447,664*l.* This is the clear revenue, or the money paid into the Exchequer. On looking back to the accounts for 1839, the net revenue was—in Great Britain, 1,519,000*l.*, Ireland, 107,298*l.*—1,626,298*l.* In Britain the post-office under the new law has yielded 29 per cent. of what it did under the old law. In Ireland it has fallen to 6 per cent.

6. Coroner's Inquest.—Mr. Marlin, coroner for the borough of New Windsor, held an inquest in the sergeant's room of the infantry barracks at Windsor, to inquire into the circumstances attending the death of lieutenant Henry William Ellis, of the 60th royal rifles, who committed suicide on the morning of Tuesday last.

William M'Leod, a private in the regiment, who had acted in the capacity of servant to the deceased during the last four months, deposed as follows:—During the whole time I had been in the deceased's service he appeared in bad health. I saw him in his room at three o'clock in the afternoon of Monday last, when he seemed very ill. I asked him if he wanted any thing? He said, "No, but I owe you some money for your wages." He then gave me 2*s.* having given me some on a previous occasion. At that time I observed nothing strange or extraordinary in his manners, although I thought his manner in offering me the money was rather incoherent. He was in the habit of drinking punch, but on that evening he had only one pint of ale with his mutton chop at dinner. I saw him again in his room at nine o'clock on the same evening, when he told me to call him at the usual time the next morning. I then observed nothing strange in his manner. I knocked at the door of his room at half-past eight o'clock the next morning, when he said, "M'Leod, come in; but don't be afraid—don't be afraid. Don't be frightened at me." I then

opened the window shutters, when he again called to me, "Come near, M'Leod, and don't be afraid." When I went near, and undrew the curtains, I saw the wound on his neck. I was much frightened, and said, "Oh! Mr. Ellis, what's this?" He replied, "Never mind: I'm dying." I immediately went for Dr. Fergusson, who followed me back to his room. I was in attendance upon him until he died this morning, shortly after eleven o'clock. I conversed with him during some portion of that time. I asked him if I had vexed him, or hurt his feelings. He replied, "No, M'Leod, you have been a good servant; let me alone, I'm dying." He assigned no cause to me for having committed the act. I found a razor, covered with blood, lying by his side on the bed.

George Fergusson, assistant-surgeon in the 60th rifles.—I have known the deceased since June last, and during that time he had been subject to sickness, and I have occasionally attended him. He was of a weakly habit of body. On the day before the lamentable event occurred, he had taken a dessert spoonful of laudanum, divided into two doses, for the purpose, I suppose, of allaying pain. I have understood that he had been in the habit of taking doses of laudanum, the effects of which, I think, operated upon his mind. The dose was not given by me. I consider it was sufficient to cause aberration of mind. When I saw him between three and four o'clock on Monday afternoon, he appeared rather nervous, which he very often was. He then asked for some opening medicine, and complained of being bilious. I gave him two pills containing a small portion of calomel, but I ascertained the next day he had not taken them. I did not see him again till yesterday (Tuesday) morning, when I was called by his servant. He was then lying in bed nearly speechless. I found two wounds on his throat; one on the right side, which had separated the jugular vein, was three inches in length and one inch in depth. There was no pulsation, his hands and feet were quite cold, and he was nearly lifeless. The wound on the left side of the throat was two inches long and one deep. He told me he had been lying in the state he was found for two hours. I dressed the wounds, and administered the usual stimulants to revive him. Towards night he seemed to rally, but still no pulsation was perceptible. I was with him till nearly four o'clock this morning, when he became worse. I saw him again at six o'clock. He was then fast sinking, and he expired shortly after eleven o'clock.

A Juror.—Can you assign any cause for his having destroyed himself? Witness.—None whatever, except from the effect of the laudanum. When I inquired of him the cause, he begged I would not ask the question. By a juror.—He was upon excellent terms with his brother officers. I am of opinion he committed the act when under the influence of the laudanum he had taken the day before. The witness further stated, in answer to questions from the jurors, that he was labouring, judging from his appearance, under a chronic disease of the liver. The jury returned a verdict, that the deceased destroyed himself in a fit of insanity caused by taking an overdose of laudanum.

4. Fatal Occurrence in St. Bride's Churchyard — A Man buried alive. — About ten mi-

nutes before three o'clock in the afternoon, the neighbourhood of Fleet-street was thrown into a state of the most painful excitement by an alarm being raised that one of the graves, while being dug, in St. Bride's churchyard, had fallen in, and buried the gravediggers who were employed at the time in the excavation.

It appears that Cox, the gravedigger of the parish, a young man named Henry Thompson, aged 29, and another man, were engaged in digging a grave twenty feet deep, at the north-eastern corner of St. Bride's churchyard, and within three or four feet of the wall passing along St. Bride's passage. About the time above mentioned, the men had attained a depth of about 17 feet, when Cox and the other man, observing some of the earth giving way above a tier of coffins piled on each other nearest the churchyard wall, lost no time in effecting their escape. The unfortunate man Thompson was in the act of following them, but before he could do so, not merely the earth, but the entire tier of coffins, gave way and fell upon him. Notwithstanding the great exertions that were made by a body of police, and others who hastened to their assistance, it was not until half-past five o'clock that any part of the poor fellow's body was to be seen. His head was then discovered pressed against the head of the grave, having the whole weight of two coffins upon his chest. He was quite dead.

Immense Artesian Well.—At the sitting of the Académie des Sciences, M. Arago made a report on the Artesian well at Grenelle, which showed the great difficulties attending the undertaking. The first time the borer fell into the cavity was when the perforation had been made to the depth of 115 metres—377 feet. This was soon after the commencement of the operation, but was soon recovered, and was in fact as nothing to what occurred in 1837. Then the length of the bars united together measured 384 metres—1,260 feet. Not only these broke, but the enormous metal spoon used to bring the materials to the surface, also fell to the bottom of the cavity, from a height of 80 metres—262 feet, and it required extraordinary exertions to recover it and draw it out again. This operation, which could only be worked by means of a windlass, with horse-power working on the surface, occupied the whole time from May, 1837, to August, 1838. The immensity of this labour for fifteen successive months may be well conceived, when it is reflected that it had to act to a depth of 460 metres—upwards of 2,000 feet. This difficulty being overcome, the works were continued without any fresh misfortune until the 8th of April, 1840, when the *alesoir*, another part of the borer, fell from a considerable height with such force that it penetrated the chalk below to the depth of 26 metres—85 feet. This created great delay. In fine, a fourth accident occurred shortly before the successful termination, when the metal spoon again fell to the bottom of the bore, having nearly attained its extreme depth. This time M. Mulot thought it better not to attempt to draw it out, but to put it on one side by forcing it horizontally into the earth, so as not to obstruct the passage.

7. Destruction of the Falls of Niagara.—The following account, contained in an "extra from

Buffalo," created a very great sensation in this country :—

"Office of the *Advertiser*,
" Buffalo, Feb. 14, 4 o'clock.

"We hasten to announce to our readers and to the world an event in its nature at once the most stupendous and sublime that has ever been recorded in the annals of the wonderful. The Falls of Niagara —the unmatched phenomenon of nature—the centralization of power, grandeur, and beauty—the theme of poesy and the material of the traveller—the resort of the ennuyé, and the delight of the susceptible—is no more.

"On Saturday morning, about nine o'clock, were manifested the first symptoms of the great catastrophe that shortly ensued. Mr. Arnold, a citizen of the village, while waiting at the foot of the spiral staircase for the return of the boat, in order to execute an errand on the opposite side, perceived the jutting rocks which formed on the Canada side the famous sub-marine cavern, break away and fall into the cauldron underneath. The incident itself, and its effect on the aspect of the Fall, were so remarkable, that he returned to the village, and communicated the facts to several citizens; and very soon a large group had collected to watch for further developments.

"In the course of an hour considerable masses were dislocated and thrown down. The sheet of water that before fell abruptly, almost perpendicularly, with an unbroken breast, over the protruding cave, of course now shot down an obtuse angle, losing its graceful and majestic curve, but gaining in tumult and effervescence. By three o'clock, p. m., the number of spectators was augmented by many from Buffalo, ourselves among them. Nothing farther transpired that night. Early next morning parties were anxiously gazing towards the Falls, despite the severity of the weather, expecting to see the work of disorganization proceed.

"At half-past seven o'clock, a wide space of the frontal bastion near to Goat Island, within the horseshoe, fell down; and then followed effects with greatly accelerated rapidity. What was actually taking place could only be surmised, as the great confluence of water hid the immediate stage of operations from sight. But it was plain to all that the supporting fabric of the cataract was fast wearing away before the tremendous enginery. Its immemorial durability might have been owing to the strongly intrenched and adamantine rampart that had always presented its shoulder to the assailing flood; or the whole, equally compact and secure, might have been preparing for this demolition through ages of sapping, solving percolation. The angle of descent every minute diminished. At half-past eight the Biddle Tower and all the adjoining groundwork had disappeared. The tower sank into the gulf like a subsiding wave. Shortly after, the water having made a subterranean passage, burst through the wall of Goat Island, cumbered with masses of rock and rolled with earth, and as instantly the crust above collapsed and mixed in the wild chaos below. In rapid succession, on the Canada side of the island, mass followed mass, and the island, throughout its entire length, was chafed and narrowed down to a lean stripe, which resisted further encroachments, as if of more substantial constituents.

On the British border, the wall of loose, friable rock was gored and ploughed away, until the Table Rock, so much resorted to by visitors, fell down in fragments, the spiral staircase toppled, and for a while it was expected that the hotel would follow. It still stands, though in a perilous posture, all the furniture being removed. On the American side the great shelf is unmolested, but the water falling over is greatly diminished, it being diverted to the largely increased channel on the British side. Here the waters have a prolonged fall of nearly a mile, the plane of course very gentle, commencing above Goat Island and ending below the old fording place, the intermediate space being filled up and graduated by deposits from above.

"The appearance of the Fall in its new shape time will not permit us to sketch.

"P.S.—The hotel is gone, we learn. It is believed no lives have been lost."

This account created immense interest not only in the public mind, but among geologists and scientific men of every grade; speculations were published, papers read, and the excitement was kept up by subsequent accounts, containing most minute and interesting particulars. It afforded great relief, and no little amusement, when it was ascertained that the whole was an ingenious hoax.

15. THIRD APPEARANCE OF THE BOY JONES AT BUCKINGHAM PALACE.—The boy Jones, who on two former occasions effected such a mysterious entrance into Buckingham Palace, again achieved a similar unenviable exploit. It appears that shortly after one o'clock in the morning, the serjeant of police on duty in the palace imagined, as he was going along the grand hall, that he saw some one peeping through the glass doors, and which turned out to be the case; for on his approaching, Jones ran against him; and, of course, was immediately secured, and at once sent off in custody to the station-house in Gardiner's-lane. It was afterwards discovered that the boy had previously visited her majesty's larder, as, at the time he was disturbed, he was feasting himself with cold meat and potatoes, which he had conveyed up stairs in a white handkerchief. When asked how he obtained an entrance, his reply was, the same way as before, and that he could, at any time he pleased, obtain an entrance into the palace. It is generally supposed that the fellow got over the wall on Constitution-hill, and crept through one of the windows. Jones was conveyed to the Home-office by two inspectors of the police, and shortly afterwards underwent a long examination, and the result was, that the boy was committed to the House of Correction, Tothill-street, as a rogue and vagabond, for three months. This mischievous fellow came before the public several times subsequently, and an attempt was even made to excite public sympathy in his favour. It appears that several parties attempted to find him some useful occupation, which should remove him from the scene of his exploits, and as he had cunning enough to represent himself as an involuntary actor in his withdrawal, this was represented as a case of oppression. It is believed, that he finally served, voluntarily or involuntarily, on board one of her majesty's ships of war, and it is

to be hoped that the strict discipline of the service may teach him better manners.

16. Fire at the South Western Railway station, Vauxhall.—Shortly before eight o'clock a destructive fire broke out in the immense store-houses belonging to the South Western Railway, situate at the terminus at Nine-Elms, which ended in their total destruction, consuming property to the amount, it is supposed, of between 30,000*l.* and 40,000*l.* The premises or warehouses consisted of three massive brick buildings, in the whole about 160 feet in length, fifty in depth, and thirty in height. The whole of these, with their contents, including, it is said, fourteen locomotive engines, were destroyed.

— Autographs, Mss., Shaksperiana, &c.—At the sale of the collection of the late "Tom" Hill, many literary and dramatic curiosities were dispersed to the public: among them were the following:—

(1,536) Sheridan (Right hon. R. B.) Letter to Ward, of Drury-lane Theatre, very characteristic, "Beg, borrow, steal, forge 10*l.* for me, and send by return of post." Letter to Ward, "Thou art a trusty man," &c. "As I have replaced the 10*l.*, you may reputably renew the theft," and two more of Sheridan.—3*l.* 18*s.* Young.

(1,537.) Sheridan (Right hon. R. B.) An afflicting letter on his "desperate situation." "I must render myself to-night," &c. Letter on the Speaker's interrupting him, but "I will take an opportunity to make the Speaker remember this," &c., and two more.—3*l.*

(1,538.) Letter of James Heath to Sheridan, threatening to sell the portrait of St. Cecilia (Mrs. Sheridan) if the money were not paid, no matter what might be the consequences legally—a letter (said by Mr. Evans) that was supposed to have affected Mr. Sheridan more acutely than any one he ever received—2*l.* 7*s.*, Lumley.

(1,558.) Moore (T.) Letter to Perry, stating lord Byron had just called on him to request him to use his influence with Mr. Perry to get a report of his speech in the House of Lords, as written out by himself, inserted in the *Chronicle.*—2*l.*, Hodgson and Graves.

(1,598.) Porson. *Out of the Frying-pan into the Fire, a Tragi-Comi-Operatical Farce, by R. P.*" A great literary curiosity. This very humorous and whimsical drama was written by Porson, when a scholar at Eton. It was "presented to the late Mr. Hill by Miss Lunan, daughter of professor Porson's wife by her first husband and niece of Mr. Perry." It was acted at Eton by himself and his schoolfellows, Dr. Goodall, Chafie, &c., Porson himself performing Punch. The existence of this drama was known, but it had hitherto escaped the public eye.—10*l.* 15*s.*

(1,610.) Mozart. A letter of extraordinary interest, dated Vienna. Sept., 1791, entirely in his own handwriting: in it he mentions his conviction of his approaching death, and that he is engaged in composing his own funeral dirge; he sees the Unknown Figure constantly before him. The autograph of Mozart is extremely rare, and this is perhaps the most interesting document in existence relating to this great composer and his last composition: he died Dec. 5, 1792. A translation and transcript of the letter were sold with

it. 5*l.* 15*s.* 6*d.*, Mr. J. Young. (1,624.) Shakspeare cup. Garrick's celebrated cup formed from the mulberry-tree planted by Shakspeare, and used by our modern Roscius, at the representation of the Shaskpeare jubilee at Drury-lane theatre; with an inscription on the stem from Garrick's Ode. 42*l.* (1,625.) Shakspeare. A small vase mounted on a pedestal carved from the mulberry tree planted by Shakspeare: with a medallion of Shakspeare, and an inscription. Presented to Garrick by Mr. James Wickins of Lichfield. With a coloured drawing of it on vellum. —10*l.* 10*s.*, Meek.

28. ROBBERY OF PLATE, &c. AT WINDSOR CASTLE.—A robbery of silver plate and the destruction of much property valuable for its material or rarity were discovered to have taken place in the palace at Windsor.

The following articles are known to have disappeared: — 1. The whole of the silver from the top and frame, and also the legs, of a silver table. 2. Four ornamental cornices (studded with silver devices), also the (silver) crowns and two (silver) figures, from a glass frame. 3. The ornamental head of a glass frame, composed of silver plate, embossed with foliage, surmounted with a (silver) crown. 4. Two silver cupids from a glass frame; also the (silver) crown surmounting the frame. 5. A pair of silver fire-dogs (very massive). 6. A pair of silver fire-dogs, twenty-nine inches high, with figures of Diana and another on the tops; the base formed of the mermaids, cupids, &c. (This pair of fire-dogs is likewise extremely massive). 7. A pair of (silver) candelabra." Many valuables have been missed from the top attic, situate in the north front of the castle, where several silver articles of great antiquity had been deposited; a silver table, in addition to the one described above, which was in this room, had been partially destroyed, and a portion of the silver of which it was composed carried away. The splendid silver looking-glass frames, portions of which have been taken off, were also stowed away in this apartment.

A large and valuable portion of the splendid marquée, known as "Tippoo Saib's tent," (which was captured at the storming of Seringapatam, and presented to the then sovereign of England by the marquis Cornwallis), had been taken. It was formerly occasionally used by the late sovereigns William 4th and George 4th, upon the royal excursions to Virginia-water.

Amongst various parts which are missing is the long pole which supported the roof. This was studded, and many portions of it cased, with massive silver ornaments, and the two large knobs at each end are stated to have been of solid silver Other portions, containing various silver and other ornaments of great value, are also missing. From this circumstance there can be no doubt that the system of plunder which has just been so fortunately discovered has been carried on for a long time past.

The party suspected of having committed these depredations, was Richard Lovegrove, in the employ of Mr. Sanders, the inspector-general of palaces; upon the first rumour of discovery he absconded and was apprehended soon after in London: although many suspicious circumstances were brought to light, after two examinations

the prisoner was discharged, nor was any further information gained for the detection of the plunderers.

The War in Syria.—Extract from a letter. "Now that the survivors of the Syrian army are returned, we learn the extent of the loss and misery encountered in the retreat. Out of 40,000 men at arms who left Damascus at the commencement of that disastrous movement, only 20,000 have returned alive to Egypt. Of the women and children who perished, no account has been kept, nor can be given with any approach to accuracy. The following are, however, now admitted to be the principal facts:—Ibrahim marched out of Damascus with an army of 40,000 men, and between 200 and 300 boys of that city, of twelve or thirteen years of age, whom he seized upon as conscript hostages for the safe retreat of his forces, and armed with muskets, having at the same time but fourteen days provisions for all. Not one of these poor children arrived at Gaza or Cairo. They were left to die, *en route*, of fatigue and famine. The army arrived in five days at Mezariab, and there Ibrahim spent four days, breaking up his forces into four divisions. Selim Pasha was sent with the first, by the southern road, leading to the deserts of Arabia Petrea and the eastern branch of the Red sea. The favourite son of Ibrahim Pasha (whom he generally keeps near him to watch over his health, and whose eyes have long been in a diseased state) was sent forward in this first division, along with a crowd of women and children. After five days' march their provisions were exhausted, and their lives were prolonged only by coming upon the pilgrim magazine of provisions at Maan, which were devoured without much ceremony or scruples.

"Soliman Pasha followed with five regiments, each, originally, 3,200 strong, and the rest of the women and children. In this division were 2,000 sick. Not one of the latter has survived. He had 250 men shot in the course of the retreat for insubordination. The despair and suffering from want of food and water were frightful as the previous division had consumed all that fell in their way. Soliman, however, succeeded in bringing home 225 cannons.

"Menikli Pasha commanded the third division, consisting chiefly of 6000 cavalry, marching to Gaza, through the mountains of Anti-Lebanon. Here they lost their guide, and became entangled in ravines and precipices, where the mountaineers attacked and destroyed one half of them.

"Ibrahim Pasha led the fourth division, consisting only of the 13th regiment, and fared the worst of all, being thirty days reaching Gaza, harassed by the Turks and mountaineers, chased round the Dead Sea, and obliged to eat herbs, after having devoured all the dogs and donkies that followed in their train. He attacked a small fort on the border of the Red Sea, in hopes of being able to procure some provisions, but was beaten off."

Captain Douglas, who this day received the order of knighthood, is the commander of the Cambridge, a private merchant ship, who receiving intelligence, while on his voyage to Canton, that the fleet of merchantmen at Macao were threatened with an

attack by the Chinese, and had not the protection of a single vessel of war, immediately purchased guns and ammunition, increased his crew, and took up so imposing a position, that the enemy were deterred from their attack. Upon the arrival of the frigates, some American merchants offered to purchase his armament, but the gallant seaman replied that he would sooner throw them overboard, than that they should be resold to the Chinese. The Cambridge afterwards co-operated with her majesty's fleet in the attack upon the Chinese forts. This is the first instance of an officer of a *private* merchant ship receiving knighthood for his services, although officers in the East India Company's service have been so honoured. In addition to the honour thus conferred, he and the crew of the Cambridge have received remunerations on the following scale :— To Captain Douglas himself has been awarded 2,000*l.*; to the first officer 100*l.*; to the second 60*l.*; to the third and fourth, each, 50*l.*; to the surgeon and purser, each, 80*l.*; to the warrant officers, 40*l.* each for those engaged in the action of Kow-lune, and 30*l.* each for those not engaged; to the petty officers 15*l.* for those engaged, and 10*l.* for those not engaged; to seamen in action 8*l.*, to those not in action 4*l.*; while two seamen who have been severely wounded are allowed 20*l.* each.

The late Mr. Forbes Dick, of Elmfoot, near Glasgow, has made the following bequests to benevolent and charitable institutions :— To the Royal Infirmary, Edinburgh, 1,000*l.*; Orphan Hospital, Edinburgh, 300*l.*; Society for the Industrious Blind, Edinburgh, 200*l.*; Magdalen Asylum, Edinburgh, 250*l.*; Society for the Relief of Indigent Old Men, Edinburgh, 250*l.*; Canongate Charity Workhouse, Edinburgh, 250*l.*; Poor of Canongate Parish, Edinburgh, 500*l.*; Benevolent and Stranger's Friend Society, Edinburgh, 200*l.*; Lock Hospital, Edinburgh, 250*l.*; Institution for Relief of Incurables, Edinburgh, 200*l.*; Society for Clothing the Industrious Poor, Edinburgh, 100*l.*; Deaf and Dumb Institution, Edinburgh, 100*l.*; Royal Infirmary Glasgow, 500*l.*; Ditto, further (after the death of an annuitant), 200*l.*; Asylum for the Blind, Glasgow, 250*l.*; Deaf and Dumb Institution, Glasgow, 100*l.*; Magdalene Asylum, Glasgow, 250*l.*; Old Man's Friend Society, Glasgow, 250*l.*; Barony of Gorbals' Benevolent Society, Glasgow, 250*l.*; House of Refuge, Glasgow, 200*l.*; Night Asylum for the Houseless, Glasgow, 100*l.*; Lock Hospital, Glasgow, 50*l.*; Poor of Govan parish, 50*l.* Total, 5,800*l.*

APRIL.

3. Execution of Mister for the attempted Murder of Mr. Mackreth, at Ludlow. — This morning, Josiah Mister, lately convicted of attempting the life of Mr. Mackreth, at the Angel Inn, Ludlow, underwent the sentence of the law, opposite the county gaol, Shrewsbury. He persisted in declaring his innocence to the last; and even left a solemn declaration in writing to the same effect. Cooke, the landlord of the Angel, was so affected by the tragedy so nearly accomplished in his house, that he lost his senses, and died in a private mad-house, within a few months.

— The President Steam Ship—The magnificent steamship, the President, running between London and New York, which was due in the course of this month, not having made her appearance at her proper date, and it being known that very tremendous weather had prevailed, and that unusual quantities of ice had been seen in very low latitudes, intense anxiety arose both in the mercantile world, and among the relatives of her passengers, as to the cause of her detention. This anxiety was greatly increased upon the arrival of the (sailing) packet ships, which confirmed her departure from New York, but brought no intelligence (as was hoped) of her return to that port. For a considerable period the appearance of every large vessel was hailed as the arrival of the lost steamer; then arose rumours of wrecks on the coasts of Wales, Ireland, the Scilly Islands, &c. As ships from foreign ports arrived, it was confidently stated that she had put into the Western Islands, the Canaries, Bermuda; again, that she had broken her engines, and run to refit in the West Indies. These hopes, however, proved fallacious, and public feeling taking another turn, naval men (and others) suggested every possible means by which the catastrophe could have happened. These discussions kept alive the anxiety of the public, and protracted the agony of those who had relatives and friends on board. The President was never again heard of. Among the passengers were known to be lord Fitzroy Lennox, son of the duke of Richmond, and Tyrone Power, the celebrated actor, whose loss served to extend the sorrow of individuals to the general public.

8. A foreign express arrived announcing the "successful termination of the war with China." Although, unfortunately, the event showed that our authorities in that quarter were deceived, yet the intelligence naturally produced its temporary effect upon the public, and it seems proper to give the despatch in this place.

"The Consul of France to the Minister for Foreign Affairs. — Marseilles, April 4. Malta, March 30.—The affairs of China are on the point of being concluded. An arrangement has taken place, by which the emperor

"1. Cedes the island of Hong-Kong to Great Britain.

"2. Grants an indemnity of 6,000,000 dollars, payable in six years.

"3. Establishes the official relations between the two governments on the footing of a perfect equality.

"The circular of captain Elliot announcing these results is dated the 20th of January. It has been brought hither by the Oriental."

Building of Churches.—The energy and power which the church of England has put forth of late years is quite astonishing; and yet it seems still to increase and grow. The efforts which the last seven years have seen would have been deemed incredible a quarter of a century since, and still every succeeding month brings tokens of a further growth.

In the year 1820 the voluntary contributions received by the three great Church Societies were as follow:—

	£
Society for Promoting Christian Knowledge	51,822
Church Missionary Society	31,076

	£
Society for the Propagation of the Gospel . .	1,458

In the year 1840 the receipts of the same three societies were—

Church Missionary Society	100,252
Society for Promoting Christian Knowledge .	84,970
Society for the Propagation of the Gospel (about)	40,000

Being far more than a doubling, in the space of twenty years. Nor is this all. The National Society, in 1820 collecting 2,500*l.* per annum, raised, in the course of last year, about 15,000*l.* Two societies, also, have recently sprung up, for providing additional curates, and these raised, in the last twelve months, about 30,000*l.* between them.

In London 120,000*l.* has been raised in four years by the metropolitan churches committee, and 46,000*l.* since then, for the single parish of Bethnal-green. Other districts, too, have made their separate efforts. Islington, when the present bishop of Calcutta took the vicarage, had *one* church and *one* chapel of ease. It has now *ten* churches and chapels connected with the Establishment.

At Manchester, the Rev. Hugh Stowell, who is incumbent of a church at Salford, proposed to make an attempt to build and endow *ten* new churches. The sum necessary to be raised was 40,000*l.* In about three weeks he succeeded in collecting 22,000*l.* Meanwhile a spirit of emulation sprang up in another part of that immense town, and a meeting was called, with the dean in the chair, to revive an old Church-building Society, which had latterly fallen asleep; and this *second* subscription almost instantly reached 17,000*l.*; in addition to which, one wealthy individual engaged to build and endow one church at her own cost.

Loss of the French Frigate Magicienne.—On the 27th of November, which was just a month after her departure from Singapore for Manilla, the Magicienne encountered a very strong gale in the Palawan passage, which by the 29th had increased to a typhoon, in which she lost her masts, and received so much damage in her rudder that she became unmanageable, and about two a. m. on the same day she was carried by a strong current on to the Bombay-shoal, to the N.N.W. of Palawan; and in this state, borne on by a terrible sea, was dashed on the reef, where she instantly went to pieces. The crew immediately betook themselves to the construction of rafts, to reach a safe shore; but fortunately, on the third day, the whole ship's company were picked up by two English vessels, the Mysore and Clifford, and the French vessel Favourite, on board of which they were conveyed in safety to Manilla, where they arrived on the 15th December.

East India Postage.—The East India papers contain some curious facts and calculations relative to the effect produced by the improved communications with India by steam and otherwise. From these it appears that five years ago the total of letters despatched between India and England was estimated at 309,011, while last year the correspondence between the same countries by steam, exclusive of that by ships round the Cape, amounted to 680,000 letters and covers; so that, on deducting 178,300 as the probable number of newspapers, and adding 100,000

as the amount of letters sent by the Cape, the correspondence between England and India will be found to have doubled within five years, and that notwithstanding the heavy inland rate to which much of this correspondence is subject. By the last returns, there appears to have been an increase of 500 per cent. in the despatch from Bombay, while that from Calcutta has fallen off 33 per cent. This is accounted for by the fact, that previously to the establishment of steam communication, many letters were sent through Calcutta, whereas now letters are despatched to Bombay by the most direct route.

Rocket Practice in China.—The report just received of the attack on the Chinese forts and shipping, mentions the projection of Congreve rockets, as a part of our means of offence, which was called into operation. Among the many causes for edification and astonishment which the "emperor of the sun and moon," with his strange people, will have had, as the consequences of this collision with our forces, will be the circumstance of the superiority of our fire-works. It is a fact, we believe, that the Chinese are the real inventors of the rocket, as an artificial firework, and even as an instrument of war; its capability, however, for this second object, in their hands, being confined—so trifling is its projectile force—to a simple means of annoyance, instead of destruction, for confusing the ranks of cavalry. It is to the late sir William Congreve, after many years of practical experiment, that this weapon owes its present character for destructiveness and precision of flight. To him belonged the merit of manufacturing rockets of almost unlimited weights; of bringing up the range, for instance, of the thirty-two pounder to 3,000 yards, and of gradually increasing the power of even the twelve-pounder to the penetration, at 1,200 yards distance, of a solid bank of earth to the depth of twenty feet. Great must have been the consternation of the celestial nation at such a visitation of their native and familiar plaything, with its appalling roar, and, to them, new and gigantic dimensions and powers of destruction.

— The great Rowing Match between the Universities of Cambridge and Oxford.—This long-expected and interesting contest came off this afternoon, and afforded a very high treat to the patrons of aquatic sports. The first of the matches between the universities on the London river took place in 1836, and, including the one of that year, until the present period three races have been contested, in all of which the Cantabs have been successful. The crews were—

OXFORD.

8. Cocks (stroke) Brasenose col.
7. Meynell, Brasenose college.
6. Lea, Brasenose college.
5. Hodgson, Baliol college.
4. Royds, Brasenose college.
3. Mountaine, Merton college.
2. Richards, Christchurch col.
1. Bethell, (bow,) Exeter col.

Wollaston, (coxswain) Exeter col.

CAMBRIDGE.

8. Vialls (stroke) Trinity col.
7. G. Denman, Trinity college.
6. Penrose, Magdalene college.
5. Cobbold, Peterhouse college.
4. Ridley, Jesus college.
3. Ritchie, Trinity college.
2. L. Denman, Magdalene col.
1. W. Croker, (bow,) Caius col.

J. Croker, (coxswain,) Caius col.

The start from Westminster bridge took place at ten minutes past six precisely. At the Horse-ferry the Cambridge men were clear of their adversaries; and as they rowed round the point facing the Penitentiary, they had half a length a-head; at Vauxhall bridge the Cambridge men were ten seconds a-head, but the Oxonians, nothing daunted, made a desperate effort to overhaul their opponents, but in vain. They neared slightly in the reach of water towards the Red-house. Off Chelsea hospital the Cantabs, who had eased slightly for a few strokes, laid down to their work, and shot the centre arch of Battersea bridge thirty-two seconds a-head of their opponents. The whole distance was done by the winning boat in thirty-three minutes and a half.

13. Awful Calamity at Dowlais Iron-works. — A dreadful accident happened at the Dowlais iron-works, by a portion of one of the furnaces in what are called the old works, at Dowlais, giving way, and burying eight men under the ruins, and endangering the lives of six more, who escaped with some slight injuries, but not without much alarm. The furnace is composed of four square walls outside, and a circular wall in the inside, and the space between the inner and outer walls is filled up with loose stones and earth, which have become so closely compacted as to form one solid mass. In consequence of decay in a portion of the inner or circular wall, the outer wall and the intervening stones, &c., were pierced, that the necessary repairs might be effected, and a space cleared for the men to carry on the work. Aware, however, of the insecure nature of this intervening mass, a scaffolding was raised over the workmen, to protect them in case of any of the stones giving way. This having been done, the men commenced their labours, and went on with their work till three o'clock on Tuesday, when an alarm was given that the loose stones were giving way; but only one man was able to leave the hole where they were at work, when the whole mass, to the weight, it is estimated, of 100 tons, came down on the scaffolding, smashing it to pieces, and burying the eight men.

Death of the President of the United States. — The following is the circular of the heads of departments, announcing the death of general Harrison:—

"*City of Washington, April* 4, 1841.

"An all-wise Providence having suddenly removed from this life William Henry Harrison, late President of the United States, we have thought it our duty, in the recess of congress, and in the absence of the Vice-president from the seat of government, to make this afflicting bereavement known to the country, by this declaration under our hands.

"He died at the President's House, in this city, this fourth day of April, anno Domini 1841, at thirty minutes before one o'clock in the morning.

"The people of the United States, overwhelmed, like ourselves, by an event so unexpected and so melancholy, will derive consolation from knowing that his death was calm and resigned, as his life had been patriotic, and useful, and distinguished, and that the last utterance of his lips expressed a fervent desire for the perpetuity of the constitution and the preservation of its true prin-

ciples. In death, as in life, the happiness of his country was uppermost in his thoughts.

"Daniel Webster, Secretary of State.
"Thomas Ewing, Secretary of the Treasury.
"John Bell, Secretary of War.
"J. J. Crittenden, Attorney-general.
"Francis Granger, Postmaster-general."

— Extensive Conflagration at the great Western Railway Terminus, Bristol. — Bristol, April 28.—A most extensive and destructive fire broke out at the Great Western railway terminus. The fire took place in the timber-yard of the company, containing 100,000 loads of timber, at the least. Various causes were stated as the origin of the fire, which commenced in the large tank of creosote, which has lately been used as a new and more expeditious process than kyanising, for the preservation of timber, and it was stated to have been caused by the accidental falling of a candle into the creosote. The yard presented the appearance of a vast sheet of fire of the most vivid description, arising from vast masses of burning timber, and the contents of immense iron tanks of coal tar, &c. The various engines of the city were speedily on the spot, and a vast concourse of people, amounting during the night to 40,000 or 50,000 persons, assembled from all parts to view the tremendous conflagration, many coming from Bath, Henbury, and the surrounding villages, where the fire was distinctly visible. All efforts to stem its progress were completely useless until the plan of cutting it off from the remaining timber in the yard was adopted; for which purpose several hundred men and four or five teams of horses were set to work, removing the adjacent timber to a distance, by which means, at about half-past four this morning, the fire was at length got under, and from 15,000*l.* to 20,000*l.* of timber belonging to the Great Western railway company, together with the terminus and neighbouring buildings, were saved. The property destroyed (which belongs to the Bristol and Exeter railway company) has been estimated at from 18,000*l.* to 20,000*l.*

— Nottingham Election.— The sheriff this morning declared the numbers polled as follows:—

For Mr. Walter . .	1,983
For Mr. Larpent . .	1,745
Majority	238

This election excited some interest, owing to the tottering state of the ministry, and the presumed reaction of public opinion generally, and especially upon the operation of the New Poor-law.

MAY.

3. The Exhibition of the Royal Academy.—The Exhibition of this year, the seventy-third since the foundation of the Academy, was considered by the critics of the day to be, on the whole, a good one. The pictures of many of the older artists were fully equal to any of their former productions, and many of the younger artists afforded great promise of future excellence. In Sculpture, the exhibition was much richer than in many previous seasons. It abounded with meritorious works, some of them of the highest character of art.

The great demand of the last few years for pictures, painted to order, for publishers of engravings, while it to a certain extent tended to patronise, yet had not contributed to elevate, art, and the public had been inundated with collections of pictures bearing a marvellous resemblance to each other in the mode of execution and design. An evenness of merit has been observable — nothing very bad, little of great excellence. In this Exhibition there were fewer of this class of pictures than might have been expected — a great, though a negative merit.

Among the more favourite works were a group "Morning," W. Etty, R.A. "Irish Girl," D. Maclise, R.A. "Ducal Palace, Dogano," J. M. W. Turner, R.A. "Christ Apostrophising Jerusalem," C. L. Eastlake, R. A. "Bring up a Child in the way he should go," W. Mulready, R.A. "The Sleeping Beauty," D. Maclise, R.A. "The Temples of Upper Egypt," Mr. D. Roberts, R.A. "Pozzuoli," C. Stansfield, R.A. "Female Bathers," W. Etty, R.A. "Sleeping Girl," T. Earl. "Jerusalem," D. Roberts, R.A.

Among the finest specimens of Sculpture were, "Bust in marble (unfinished) of his Royal Highness Prince Albert," E. H. Baily, R.A. "Statue of Dr. Bathurst, late Bishop of Norwich," for Norwich Cathedral, Sir F. Chantrey, R.A. "Eve listening to the Voice," E. H. Baily, R.A. "A Basso-relievo" in marble, J. Gibson, R.A. "Nymph coming out of a Bath," R. J. Wyatt. "Marble Statue of Lady Emily, infant daughter of his Grace the Duke of Beaufort," W. Behnes. "Statue of Dr. Ryder, late Bishop of Lichfield and Coventry," for Lichfield Cathedral, Sir F. Chantrey, R.A.

4. Dreadful Fire at Whitechapel. — Two Lives Lost. — About twelve o'clock in the morning, a fire of a terrible description, and involving a lamentable sacrifice of human life, broke out in Church-lane, Whitechapel, adjacent to the church. The premises were occupied by Mr. Abraham Berlyn, slipper-maker and dealer in marine stores, who let a portion of the first and second floor to a middle-aged female named Wheller, whose children, two boys, one sixteen years of age, and the other eight, perished in the flames.

— Sandwich Election. — This election is chiefly remarkable as indicating the declining popularity of the Melbourne ministry.

For Mr. H. H. Lindsay (Tory)	406
For Col. C. R. Fox (Whig) .	360
Majority	46

Mademoiselle Rachel. — The first appearance of this young French actress excited much interest. The public had been much interested in the accounts brought from the French capital, of an actress of extreme youth, whose enthusiastic admiration of the elder French drama had urged her to a revival on the stage of the great tragedians of the age of Louis the 13th, whose works had been considered unsuited for representation on the modern stage, and had become merely the study of the studious in the closet. The success of Mademoiselle Rachel had at once astonished and delighted the French sçavans: the ponderous grandeur, the stiff rythm, and recurring jingle of their writers, deemed insuperable obstacles, disappeared before the energy, taste,

and dramatic tact of the unknown girl, and Corneille and Racine once more became the boast of the French stage. How they would succeed on the English stage, alien as they seem to the very genius of English literature and taste, was a question of much interest. To the great delight of our neighbours, the attempt proved completely successful, and the young restorer was received in London with an enthusiasm scarcely less than among her own countrymen.

The play chosen for her first appearance at the Italian Opera House was the *Andromache* of Racine, the part Hermione. Hermione makes her first appearance in the second act, and the impression made by Mademoiselle Rachel was at once favourable. The melody of her voice, the dignity of her manner, the firmness of her delivery, the clearness of her articulation, established her genius at the very first sentence. Her figure was slight, but dignified; her hair very dark, her complexion pale, her features small but intelligent and expressive. Her greatest scene was that with Pyrrhus; the cool, collected, severe irony with which she addressed her faithless betrothed, the evident force with which rage was confined within her heart, while her speech was fearfully calm and deliberate, was a noble conception, and a sign of the highest genius. The burst of passion which followed the touching line—

"Je t'aimois, inconstant, qu'aurois je fait fidèle?"

electrified the audience; but in the deliberate irony the most consummate art was shown.

Mademoiselle Rachel performed subsequently a series of characters in the plays of Racine, Corneille, and other more modern dramatists, in which she met with equal and judicious applause.

5. Royal Elopement in Paris.—A great sensation was created in the highest circles by the elopement of one of the princesses, daughter of the Infanta of Spain, Don Francisco de Paulo, with a Polish gentleman, Count Garowski. The elopement took place from a convent in Paris, where the princess had been placed, and the escape of the young lady was effected by means of a ladder of ropes. It is understood that the family became reconciled to the offending parties.

10. Dreadful Explosion and Loss of Life.—At half-past five o'clock in the morning, a loud explosion was heard to proceed from the vessel used for raising ballast from the bed of the river off the Old Barge-house, Blackfriars. The vessel was shattered to pieces by an explosion of the boiler of the steam engine on board, which forced out the head of the vessel, shattered the decks, and threw the fragments in all directions around. One young man, name James Constable, who was only twenty-six years of age, lost his life.

Jonathan Wilde. — Amongst the old manuscript petitions in the city town-clerk's office, where all the ancient records are undergoing examination at the present time, is the following from the notorious Jonathan Wild:—"To the right honourable the Lord Mayor and the court of Aldermen. — The humble petition of Jonathan Wild showeth, that your petitioner has been at great trouble and charge in apprehending and convicting divers felons for returning from transportation since October, 1720

(the names of whom are mentioned in an account hereto annexed); that your petitioner has never received any reward or gratuity for such his service; that he is very desirous to become a freeman of this honourable city, wherefore your petitioner most humbly prays that your honours will (in consideration of his said services) be pleased to admit him into the freedom of this honourable city, and your petitioner shall pray, &c., JONATHAN WILDE." "An account of the persons apprehended, taken, and convicted for returning from transportation, by Jonathan Wyld, since October, 1720, for which he has received no reward, viz.:—John Filewood *alias* Violett, William Bond, Charles Hinchman, Samuel Whittle, Marten Gray, James Dalton, Robert Godfrey *alias* Pirkins, Old Harry *alias* Henry Williams, Henry Woolford, John Mosse. Several others have been taken by him, and afterwards sent abroad—viz., Moll King, John Jones, &c., who were notorious street robbers in the city of London." On the back of the petition were the official words, "Mr. Jonathan Wild's petition to be free, read 2d January, 1724."

DREADFUL SHIPWRECK—HORRIBLE DESTRUCTION OF THE PASSENGERS. — HAVRE, MAY 13.—The American ship Crescent, Captain Ball, arrived here yesterday evening with the remainder of the passengers of the William Brown, who were saved in the long-boat. The arrival of this vessel confirmed all the horrid rumours which had become prevalent of the destruction of her miserable passengers. Of the sixteen passengers who were thrown into the sea, fourteen were men and two women; of the seventeen saved, fifteen are women, and two are men. One of these men was seized for the purpose of being thrown overboard by the crew of the boat. He cried out to the mate to save him, and not to tear him from his wife. The mate told the men not to separate man and wife, if it were possible to help it. He fell into the bottom of the boat, and was saved. A boy of twelve years old was thrown overboard; he caught hold of the boat, and, favoured by the darkness of the night, crouched under the bows and was saved. All the women saved are young, except the mother of a Scotch family in Dumfriesshire, who, with her five daughters and a servant girl, was saved. A young woman with her infant at her breast succeeded in getting into the boat with her husband: they are amongst the survivors. One family of the name of Leyden (sixteen in all) sank with the vessel; another family, named Corr—father, mother, and five children—sank at the same time; the little boy who was thrown from the boat was one of that family; he had not a soul left belonging to him. They were also from Colonel Stewart's property. A Mrs. Anderson, with three children, who was going to join her husband, a medical gentleman settled at Cincinnati, sank with the ship. Miss Anderson and a Miss Bradley were thrown into the sea from the long-boat. The tales which the survivors relate are piteous—horrifying. Close investigations took place as to the dreadful necessity of the sacrifice, and the conclusion arrived at was, that it was an act of imperious necessity. Captain Harris, the second mate, and several people, took to the long-boat when the

William Brown sank after having run against an iceberg. After having been in the long-boat six days, they were picked up by a French lugger on the fishing ground near Cape Breton, and carried into St. Pierre. They were in a dreadful state of exhaustion.

— Fatal Collision in the Liverpool Channel.—Seven unfortunate mariners, a part of the crew of the brig *Mary Scott*, Captain Sadler, inward-bound from Valparaiso, were brought into the King's Dock, Liverpool, by a Manx fishing-boat, having been found in a small boat without sails, and only two oars, tossing about the Channel in an exhausted state, without food or clothing, on Monday the 10th, having been in that perilous situation, with stormy weather and a heavy sea running, for 24 hours, their vessel (the *Mary Scott*) having been run down and sunk by the American ship Brooklyn. Captain Sadler and eight of his crew perished by the disaster, as the *Mary Scott* sunk in a few minutes after the collision occurred. The *Mary Scott* had on board a valuable cargo of wool, copper ore, and 13,000 dollars in specie. The vessel and cargo, it is said, were insured in Liverpool to the amount of 35,000*l*.

18. Melancholy Shipwreck —One Hundred and Forty-Eight Lives Lost.—The *Minstrel* left Limerick, Ireland, on the 21st of April last, for Quebec, with 141 passengers, emigrants, intending to settle in Canada. The vessel had a tolerable passage up to Tuesday, the 18th of May, at 4 o'clock in the morning, when she struck on Red Island Reef. There was a heavy sea running at the time, but the boats were launched and made fast to the fore-chains. Upwards of 100 passengers embarked in the boats, but their doom was quickly sealed; the vessel "heeled off" into deep water, and went down stern foremost so suddenly that the "painters" of the boats could not be cast off, and the people who had embarked in the boats perished, with their equally unfortunate companions on board the ship, except four of the crew and four passengers, who alone, of upwards of 150 souls, remained to tell the tale. These eight persons had embarked in the gig, which was towing astern, and fortunately for them the rope which attached it to the vessel broke when she went down. They succeeded in pulling to White Island, where they remained until the following day, when they were taken off by the *Wellington*, M'Intyre, and brought to Grosse Isle.

22. Sykes, Nelson's Coxwain.—This venerable tar expired suddenly at his little fishmonger's shop, in Church-passage, Greenwich. He was upwards of 80 years of age. Sykes was a most daring fellow, and was with Lord Nelson during the whole of the time of his glorious deeds. He most of all distinguished himself at the battle of Trafalgar.

24. Shakspereiana.—A deed with Shakspere's signature; the Shakspere cup, &c., were sold at Evans', and attracted a large concourse of cognoscenti and literati. Many attended to examine the deed, the authenticity of which is rendered indisputable by the fact of its having been enrolled. The catalogue thus describes it:—"Shakspere's autograph affixed to a deed of bargain and sale of a house purchased by him in Blackfriars, from Henry Walker, dated

March 10, 1612, with the seals attached." The bond is described as that of "Wm. Shakspeare, of Stratforde-upon-Avon, in the countie of Warwick, gentleman." There are five acknowledged genuine signatures in existence, exclusive of the one in question. Of these, three are attached to his will in the Prerogative Court, executed the 25th of March, 1615-6; the fourth is written on a mortgage deed, dated the 11th of March, 1612-13, of a small estate purchased by Shakspere of Henry Walker, in Blackfriars; and the fifth, on the counterpart of the deed of bargain and sale of the same property, dated the 10th of March, 1612-13. After many and very animated biddings, it was eventually knocked down to Mr. Elkins for 165*l.* 15*s.* The "Shakspere Cup," made from the mulberry tree planted by Shakspere, beautifully carved on the sides with a medallion of Shakspere and his arms, which was nearly 30 years in the possession of the late Mr. Munden, brought 21*l.*

— A SINGULAR novelty was displayed in the park of Cossey, Norfolk, in honour of the Queen's birthday. The Chinese flag, for which Lieutenant Jerningham substituted the British ensign on the fort of Chusan, was hoisted on Queen Mary's Tower below the Union Jack, which always floats there at times of rejoicing. It is a small rectangular triangle, of figured silk damask, cut in vandykes at the edges, and of a dull red colour. In the centre is displayed the tortuous dragon so often depicted on China vases, curiously wrought in gold, but apparently without inscription.

A VERY CURIOUS document has within these few days been discovered amongst the ancient records of Guildhall. It is a contract made between Charles 1st, and his Privy Council on one part, and the corporation of the city of London on the other, in which the King makes over in mortgage to the corporation several large tracts of Crown lands in the counties of Northumberland, Durham, York, &c., for certain loans of money to him, amounting to more than 300,000*l.* of the then currency. But the unfortunate monarch never having had the power of redeeming these lands, they became legally part of the city estates; and several years afterwards, finding that from their remoteness, and the rough unproductive nature of the soil, they were not very productive or profitable, the corporation disposed of the city interest in them to the ancestors of the present great coal-field proprietors, not, of course, having the slightest idea that they were throwing out of their hands the richest and most profitable soil in England, which would long since have produced them a net profit of above 400,000*l.* per annum. The document is quite perfect, and is very well written. The King's signature, "Charles R.," is in a fine free hand, and the signatures of the members of his Council at the foot of the deed are easily deciphered, but are remarkable for the diversity of the handwriting. That of Buckingham's is quite different from the others; it is very free, but in good taste. The Royal seal is affixed to the deed, and the seals of the signing Privy Councillors are appended likewise.

HASTINGS BARONY.—The House of Lords reported their decision on the claims to this ancient barony in the following terms:—

"Hastings Barony.—Committee for privileges met, and claim con-

sidered. Resolved, that the Barony of Hastings was vested, as a barony descendible to heirs general of the body, in John de Hastings, who died in 1313; and that the said John de Hastings, Baron Hastings, was summoned to and sat in Parliament in the 18th of Edward 1st, and left one son, John, and one daughter, Elizabeth, by his first marriage, and two sons by his second marriage: and that the issue of the said John, the son of the said Baron Hastings by his first marriage, failed in 1389; and that Frances, the wife of the Rev. Richard Browne, Henry Le Strange, Styleman Le Strange, and Sir Jacob Astley, Bart., are descended from the eldest surviving son of the said John Baron Hastings, who died in 1313, by his second marriage; and that the said Barony is in abeyance between the said Frances Brown, being descended from Anne, the eldest daughter of Sir Hugh Hastings, who died in 1540, and the said Henry Le Strange Styleman Le Strange, and the said Sir Jacob Astley, being descended from Elizabeth, the younger daughter of the same Sir Hugh Hastings; the said Henry Le Strange Styleman Le Strange being descended from Armine, the eldest daughter, and the said Sir Jacob Astley being descended from Lucy, the second daughter of Sir Nicholas Le Strange, who died in 1724."

The Queen has been pleased to determine the abeyance in favour of Sir Jacob Astley, who as Lord Hastings now stands second among the Barons in the Roll of the Lords.

JUNE.

1. India (Overland) Mail.—The contents of this month's Mail were given in the daily papers in the following summary:—

"Accounts have been received of the recommencement of hostilities in China. Our troops took possession of the Forts of Bogue on the 25th of February, and of the Factory of Canton. The Emperor, nevertheless, expressed his determination not to submit.

"Keshen had been disgraced, and sent in irons to Pekin.

"Sir G. Bremer arrived on the 22d of April at Calcutta to confer with the Governor-General. Reinforcements were to proceed to China forthwith."

This news, though totally unexpected, and apparently deeply affecting the Eastern trade, produced a very slight effect on the mercantile world, and even, taken with other unfavourable circumstances, depressed the funds only a quarter per cent.

3. The Language of the British Islands.—*Court of Exchequer.—Jones* v. *Jones.*—This was a case which had been tried at Bala, on the last North Wales circuit, the only important feature in which was the fact, as alleged in the report of the learned judge, that not a man of the jury who heard the trial could speak a word of English! a state of things which led to the very reasonable proposition that the evidence should be taken and left for the consideration of the full Court, who were to treat the same as a jury and decide the fact as well as the law, a course which is frequently adopted, though seldom for the reason mentioned.

— A most awful and destructive fire unfortunately happened in the town of Dunstable, in Hertfordshire, by which twenty-one houses

were entirely destroyed, and property to the extent of some thousands consumed. It was discovered shortly after one o'clock in the morning, raging furiously on premises in High-street, on the west side, near the corner of Church-street. Soon after the alarm had been given, the engine belonging to the town was brought to the spot, but it was found to be in so dilapidated a condition, that it was impossible to bring it into play. An express was then despatched to Luton, five miles distant, for assistance, but it was full an hour and a quarter before the engines arrived. Shortly before three o'clock several engines came up from different parts of the surrounding country, and but for their aid the fire would have spread to a tremendous extent.

5. The Woolwich Convicts.—An inquest was held at the Salutation Tavern, Woolwich, on the bodies of six more convicts, who had died within the last few days on board the *Justitia*, hospital-ship. Their deaths were the result of natural causes, and chiefly from affections of the chest. Their bodies presented an appearance of great emaciation. The jury returned in each case a verdict of "Natural death."

6. Fire in Exeter.—Three Lives Lost.—A fire broke out in the house of Mr. Sellick, cabinet-maker, Mary-Arches-street, attended with very afflicting consequences. Most of the houses in the neighbourhood, including the one which was the scene of conflagration, are let in separate apartments, and before the arrival of the engines several individuals had been safely rescued from the burning house by means of ladders; when the sister-in-law of Mr. Sellick was seen attempting to make her escape from a second floor window; she first got outside, and then let herself down, hanging by her hands to the sill of the window. Before, however, a ladder could be raised for her assistance she yielded her hold and fell to the ground, her fall being in some measure broken by people underneath. The unfortunate woman was immediately carried to a neighbour's house, but she was so much injured that medical aid proved of no avail. She died in about five hours afterwards. An old man, of seventy-six years of age, named Webber, who was very deaf, could not be aroused from his sleep, and the poor old man was left to his fate. When the fire had been subdued, the remains of the old gentleman were found amongst the ruins in a shockingly mutilated state. Another woman, the widow of a mason's labourer, also perished, and after a search of two hours, her body was found in a shockingly mutilated condition.

A Returned Ball.—The guns (two 32-pounders) of the *Nemesis*, an iron war steamer, much distinguished in the war with the Chinese, were cast by Messrs. Fawcett and Preston, of Liverpool. Captain Hall and the officers of the *Nemesis*, addressed the following letter to Mr. Fawcett, accompanied by a very singular present, namely, a ball which had been fired from the *Nemesis* into the Chinese Admiral's junk in the affair in Anson's Bay on the 7th of last January, and afterwards recovered on boarding the junk after the action.

"*Nemesis, Bocca Tigris, Jan.* 14, 1841.

"Captain Hall and the officers of the *Nemesis* present their kind

compliments to Mr. Fawcett, and have to present him with one of many of his 32-pounder shot which was fired into the Chinese Admiral's war junk from the *Nemesis*, in Anson's Bay, on the 7th of Jan., 1841, and afterwards recovered from the wreck of the junk."

8. Destruction of Astley's Amphitheatre, and Loss of Life.—At twenty-five minutes before five o'clock this morning, a most extensive and disastrous fire occurred at Astley's Theatre, at the foot of Westminster-bridge. A number of the inhabitants living on the spot, instantly on discovering that the theatre was in a blaze, rushed out of their houses for the purpose of rendering all the aid in their power; but unfortunately the flames had obtained so great a hold of the place as to render their exertions fruitless. The utmost exertions were used to remove the celebrated stud of horses from the stables. Although the docility of the animals is universally known, yet the grooms and attendants had the greatest difficulty in rescuing them. Several of the poor creatures, upon being loosened, endeavoured to enter the arena in which they were wont to amuse all who visited this popular place of amusement; particularly the ponies, which began snorting and plunging about in a most terrific manner, and had it not been for the extraordinary control which the grooms possessed over the animals, the loss must have been very great. In the stables surrounding the ring were five horses and a jackass, which was about coming out as the hero of the amphitheatre. By the intrepidity of a German rider named York, three of the horses in this part of the building were saved. Regardless of the danger which he ran, he rushed across the ring, although the fire was raging in a furious manner about him, and brought out a horse each time. Upon making the fourth attempt, the heat became so intolerable as to cause one of the horses, on reaching the centre of the ring, to drop, and it perished. Another horse and the donkey perished in their stalls. At the time the fire broke out there were about fifty horses in the stables, besides two zebras and some asses. A quarter of an hour had not elapsed before half a dozen powerful engines were fixed at various parts of the building. Unfortunately some minutes expired before they could be got into play, in consequence of the want of water, while the flames each succeeding minute were assuming greater and more terrific power. The firemen and police who were placed at the front entrance not observing any portion of Mr. Ducrow's family making their appearance, began to be alarmed for their safety. When they burst open the doors, the sight which met their eye was one of the most sublime and magnificent which can be imagined, the whole of the vast interior, comprising the boxes, galleries, pit, and stages were enveloped in one body of fire, presenting the appearance of a mighty furnace. The firemen, finding that not the slightest prospect existed of saving any portion of the theatre or of the dwelling-house of Mr. Ducrow, mounted the roofs of the surrounding houses, and succeeded by dint of the most extraordinary exertions in confining the devastation to the area beneath. Suddenly a kind of grumbling noise was heard below, which arose from some portions of the

outer walls giving way, when the roof fell in with a most tremendous crash, which was heard at a considerable distance. At the same instant a fiery cloud shot up into the air, and, after a momentary pause, descended over the neighbourhood, presenting a most singular appearance. By six o'clock the theatre was levelled to the ground, and by seven o'clock the firemen had the flames completely under their control.

Upon inquiring how Mr. Ducrow and his family escaped, it was ascertained that the bedrooms of the greater portion of them were upon the second floor, over the box and pit entrance. They were awoke by the loud cries of those in the back part of the theatre calling upon them to effect their escape, when Mr. Ducrow immediately got up, and upon looking towards the theatre saw a body of smoke, and knew at once that it must be on fire. Having aroused the whole of his family, he snatched up one of his youngest children and ran down stairs, followed by Mrs. Ducrow and the rest. One of the female servants of the name of Elizabeth Britton, perished in the flames. She was seen to come down with the family, and was observed by some of the ostlers who were dragging the ponies out of the stables to return into the dwelling-house, as was supposed, to endeavour to save some of her clothes. It was thought that she had been saved, until her body was discovered lying in a crouched position behind the box-door at the entrance to the theatre. The poor creature was so dreadfully burnt as scarcely to be recognized as a human being; she was, in fact, burnt to a blackened substance.

It is supposed that the fire originated under the lower stage, by some sparks falling through the flooring of the upper stage, in the representation of a scene of "the Burning of Woodstock," in the piece entitled *The Wars of Oliver Cromwell;* there was a great quantity of sawdust collected, and the sparks falling on it, it smouldered away unperceived until it burst forth.

The loss exceeds 30,000*l.*, and Mr. Ducrow had not, unfortunately, insured for one fraction of the property. This calamity so affected Mr. Ducrow that he lost his reason, and died shortly after.

11. Extraordinary Suicide.—A Coroner's jury was empanelled before Mr. W. Carter, the Coroner for the eastern division of Surrey, at the Greyhound Inn, Croydon, for the purpose of inquiring into the death of Mrs. Mary Russell, a lady of fortune residing at Croydon, who destroyed herself by taking a quantity of arsenic and laudanum. Harriet Giles, the ladies' maid to the family, deposed that on Monday morning last the deceased lady went out about 11 o'clock in the morning, which was rather an unusual occurrence, and returned in about half-an-hour. On the Tuesday morning witness took up some water to her mistress's bedroom, and she told her that she felt unwell, and that she should not get up, but wished to have her breakfast sent up to her. Witness accordingly shortly afterwards took the deceased some chocolate, when she observed that she drank it rather hastily: in a short time after witness had left the room the bell was rung, and she went up stairs to her mistress, who ordered her to send her daughter up stairs immediately, and witness

then observed that her mistress had been vomiting in a basin that was by the bedside. Miss Russell went up to her mother's bedroom immediately; directly afterwards the bell was rung violently, and a footman was ordered to be dispatched for a surgeon, and Mr. Neville, of Croydon, arrived soon afterwards. The witness then proceeded to detail various incoherent acts committed by the deceased for some time prior to the melancholy occurrence, and her evidence left very little doubt as to the state of mind of the unhappy lady. Mr. Neville deposed, that on Tuesday morning he went to the house of the deceased, and found her in bed, and apparently in an almost exhausted condition. The deceased at this time did not appear to be in any pain, and witness, knowing that the character of arsenic was to occasion excruciating pain, doubted, at first, whether she had really taken poison of that description. A paper with the word "poison" on it was afterwards shown to him. Witness, assisted by another medical gentleman, made a *post mortem* examination of the body, and they discovered traces of both arsenic and laudanum, and the death of the deceased was no doubt occasioned by those poisons. He at first considered it extraordinary, if the deceased had taken arsenic, that she should not be in any pain, but the discovery of the laudanum accounted for it, the effect of the laudanum being, to a certain extent, to neutralize the action of the arsenic, and lull the pain. The Jury then returned a verdict "That the deceased destroyed herself by taking poison while in a state of temporary derangement."

The French Navy.—By a list of the French Navy, derived from official sources, it appears that France has at this period—Ships of the Line: Four of 120 guns, two of 100, three of 90, five of 86, and nine of 82 guns. Total, 23. Frigates: Seven of 60 guns, one of 58, eleven of 52, six of 46, and three of 40 guns. Total, 28. Corvettes: Ten of 30 guns, one of 29, three of 28, seven of 24, four of 20, and six of 16 guns. Total, 31. Brigs: Twenty-one of 20 guns, three of 18, four of 16, seventeen of 10, and nine of 8 guns. Total, 54. Schooners, cutters, &c., of from 2 to 6 guns, 70. Transports: Three of 925 tons, and one of 150. Steam Ships: Thirty-two of 6 guns, one of 3, and one of 4, viz.—five of 220 horse power, twenty-three of 160, one of 150, one of 120, one of 100, two of 80, and two of 60. Total, 35. Besides this formidable navy, the French are building —Ships of the Line: Three of 120, eleven of 100, and nine of 90 guns. Total, 23. Frigates: Seven of 42, and three of 46 guns. Total, 10. Brigs: Four of 20, and ten of 12 guns. Total, 14. Steam Ships: Two of 450 horse power, two of 320, four of 220, and twenty of 60. Total, 28.

12. During the confirmation held at St. Thomas's Church, Ashton, near Wigan, a report arose in the western gallery that it was giving way. At about half-past six o'clock, at which time the Bishop of Chester had just concluded confirming the females, a crack was heard in the western gallery, as if from the back of one of the seats, occasioned by pressure; this immediately caused an impression on the minds of several persons that the gallery was giving way

under them, just in front, where the organ is placed. At the impulse of the moment a general alarm was created, which was considerably heightened by one of the singers telling those standing near him that the gallery was giving way, and requesting them to go out quietly; which advice, unfortunately, was not followed. A simultaneous rush instantly took place towards the gallery stairs, and in the hurry and confusion to get out numbers of females fell at the bottom of the stairs, and scores following hard on in their fright also fell over them, until the staircase was completely filled up, the females being literally piled one on the other nearly to the ceiling. Every exertion was promptly made to extricate them from their awful predicament, but it was found that they were jammed so fast together, and the pressure from the upper part of the stairs so great, that it was impossible even to get one out from amongst them. Attention was instantly turned to get into the gallery; and a ladder being quickly obtained, the most active ascended, and forced back into the gallery those at the top of the stairs, which greatly relieved the undermost. The confusion and distracted state of the females, however, rendered it difficult to accomplish this important object. Nearly 20 minutes had elapsed without any material good having been effected; at length an inner door on the right of the stairs was opened, leading to the aisle of the church, through which a great many were hurled pell-mell, one over the other, directly in the face of the bishop, who had taken refuge in the pulpit. Notwithstanding every exertion used by the bishop and other ministers to pacify them, telling them that there was no danger, the congregation were in such a confused state that the advice was disregarded. A clearance having been obtained, active exertions were made to carry all those into the open air who had sustained the most serious injury; and at first sight many appeared quite dead, whilst others showed little symptoms of life, from the blackness of their faces and distorted appearance. Fortunately, medical assistance was promptly at hand, and every attention which skill and humanity could devise was instantly rendered to the sufferers. An aged female was so much injured that she died the same evening; but although a great number of females were seriously hurt, no further loss of life occurred. The gallery has been carefully examined, and it had not sustained the slightest injury, nor could it be ascertained whence the noise proceeded which caused the catastrophe.

Munificent Bequest. — The will and codicils of Mr. J. T. Barber Beaumont, late of Regent-street, one of the directors of the County Fire-office, has just been proved in the Prerogative Court of the Archbishop of Canterbury. The personal property of the deceased was sworn under the value of 60,000*l.*, and is principally bequeathed to his children. The deceased, in his lifetime, had commenced a philosophical institution, and by a codicil, dated May 28, 1840, he directs the munificent sum of 13,000*l.*, free of duty, to be invested in trustees for the following purposes:—To establish a philosophical institution in Beaumont-square, Mile-end, for the mental and moral improvement of the inhabitants of the said square

and the surrounding neighbourhood, in their intervals of business, and freed from the baneful excitement of intoxicating liquors: and also the general cultivation of the general principles of practical theology and the wisdom of God, leaving to the different churches and sects the cultivation and pursuit of their peculiar tenets; and also for the purpose of affording them intellectual improvement, and rational recreation and amusement.

— The late Sheriffs and the House of Commons.—A splendid entertainment was given at the West India Dock Tavern, Blackwall, in celebration of the presentation of the testimonials to Mr. Evans and Mr. Wheelton, the late Sheriffs of London and Middlesex, for the firmness and dignity displayed by them during their recent imprisonment. Mr. H. Hughes, late M.P. for Oxford, was in the chair. Before the first toast was drunk, the Chairman presented the two magnificent services of plate to the late Sheriffs, and after complimenting them on their conduct, added—"It now only remains for me, in the discharge of my high commission, to present to you, Mr. Evans and Mr. Wheelton, respectively, in the name of the subscribers, these magnificent pieces of plate, in testimony," as the inscription upon them declares, "of the high admiration of the subscribers of the conduct of those gentlemen, who preferred to endure a painful and protracted imprisonment, rather than submit to the undefined and arbitrary privilege assumed by the House of Commons, whereby they were required to violate their oaths of office and disobey the Queen's writ, which they had sworn to observe, and to perpetuate the high sense of respect and admiration of the subscribers, for the firmness displayed by their Sheriffs during their imprisonment in vindication of the majesty of the laws and liberty of the subject."

Relics of the Rebellion in 1745.—As some men were recently engaged in the drainage of part of Loch Farraline, in Invernesshire, they came upon a quantity of old firearms; a brass blunderbuss in excellent preservation, about 12 muskets, the scabbard of a sword, and other articles. The loch is situated in the high mountains above Loch Ness. There has been a tradition among the people of the district for many years that a quantity of arms was thrown into the lake at the stormy period of the rebellion in 1745, which seems to be confirmed by this occurrence. In the immediate neighbourhood of the spot is the house of Gortuleg, which, in 1745, was the property of Mr. Fraser, chamberlain and agent of Lord Lovat. Old Lovat himself resided at Gortuleg at this interesting time, and hence, it is supposed, took place this accumulation of firearms, which were afterwards thrown into the loch when the battle of Culloden had decided the fate of the Jacobites. It is well known that, after his defeat, Prince Charles retreated through Straithnairn, a district possessed by the clan Mackintosh, of whom their leader, and every individual of rank, had fallen in the action, and came towards evening to the house of Fraser, of Gortuleg. Lovat had prepared a sumptuous feast in anticipation of victory. The house was crowded with the retainers of Charles Edward and Lovat, and, Mr. Fraser used to relate a touching and striking anecdote. The children

of the family were, for convenience, placed in a small room between the Prince's chamber and another, but which had communication with both. The whispers of the children, afraid to speak out, produced a suspicion in the mind of Charles that he had been betrayed, and he exclaimed, with agitation, "Open the door, open the door." One of the boys having complied with his request, the unfortunate prince presented a countenance so strongly marked with terror, that its features were indelibly impressed on the minds of his juvenile beholders. One of them described, in vivid terms, the fair oval face and blue eye, distended with fear and agitation, of the tall, handsome, young wanderer. Seeing his mistake, Charles gave way to the following pathetic exclamation—"How hard is my fate, when the innocent prattle of children can alarm me so much!" —words which long dwelt in their memories, and often moved the household to tears. Charles was too much agitated to think of rest. He changed his dress, and, taking a glass of wine, left the house at 10 o'clock at night for Invergarry, the seat of M'Donald of Glengarry.

15. Oxford Commemoration. —Visit of Prince Albert to the University.—The announced intention of his Royal Highness Prince Albert to visit Oxford, combined with the circumstance of it being the day appointed for the annual Commemoration of the Founders and Benefactors of the various colleges and halls, drew together from London, and the counties surrounding this ancient seat of learning, a vast concourse of spectators of the various interesting proceedings of which Oxford was the scene. Her Majesty and Prince Albert arrived at Nuneham, the seat of his Grace the Archbishop of York, on Monday, where great preparations had been made for their reception. Shortly after ten o'clock his Royal Highness Prince Albert, who breakfasted at Nuneham with her Majesty, drove into the town in an open carriage and four, with outriders, escorted by Lord Norreys' troop of Oxfordshire Yeomanry Cavalry.

In the course of reading the Act of Convocation, when his Grace the Chancellor alluded by name to "Augustissimus Princeps Albertus," the mention of his Royal Highness was hailed by loud and prolonged cheers. His Grace the Chancellor then, turning towards Prince Albert, read an address prepared for the occasion. This address, beautifully written on vellum, and sealed with the University seal, enclosed in a case of gold, was then presented to his Royal Highness, who briefly returned thanks for the honour thus conferred upon him, expressing the deep satisfaction which it afforded him to visit this renowned seat of learning. And at the conclusion his Royal Highness and the Chancellor retired amidst similar plaudits to those which hailed their entrance, and were followed by the Heads of Houses, and the noble and other distinguished visitors; upon which the theatre was speedily cleared. His Royal Highness then proceeded to the Town Hall, for the purpose of receiving addresses from the city and the county. Immediately after the presentation of these addresses, the Prince proceeded to St. John's College, where a sumptuous entertainment was served up in the hall, at which all the Heads of Houses and many of

the other distinguished visitors were present. His Royal Highness, attended by his Grace the Chancellor, and the Heads of Houses, then proceeded to visit the chief objects of attraction in the University, and at four o'clock attended divine service in the beautiful chapel of New Inn Hall. At five o'clock his Royal Highness returned to Nuneham to dinner, loudly cheered by the numerous spectators, and escorted as before by the Oxfordshire Yeomanry Cavalry.

21. Launch of the Trafalgar.—Upon this occasion Woolwich presented a gay scene. The river, from the hour of twelve o'clock, exhibited a scene of bustle never before approached, not even on the occasion of the visit of his late Majesty William 4th and Queen Adelaide to Greenwich, on the anniversary of the battle of Trafalgar. From twelve o'clock steamers of all sizes were passing down to Woolwich, and it is computed that upwards of 50 of these vessels were at one time making, almost in company, their way to the same point. The river was almost covered with them. They could not have conveyed less than 30,000 persons. In addition to these every sort of craft that has been in requisition since the building of Noah's ark was employed to convey persons to the sight, or to afford them positions from which to get a view of it. The banks on both sides the river were covered with spectators. In addition to the immense multitude admitted into the dockyard by tickets, and the still larger number admitted without tickets at the gates thrown open to promiscuous crowds, every shed, house-top, and elevated place from which the smallest glimpse of view could be commanded was occupied by a spectator. Her Majesty arrived in a travelling carriage and four, shortly before two o'clock, at the dockyard, accompanied by her Royal consort and her usual attendants. Her arrival was announced by a Royal salute, and she was received with enthusiastic cheers. At half-past two o'clock the launch took place, and the gigantic vessel floated gallantly into the river, and was brought up by means of a spring cable at about three lengths, swinging round with her stern towards London, and displaying her vast proportions to thousands of admiring spectators. Her launch was announced by the discharge of artillery, and the hurrahs of those who witnessed it. Her Majesty almost immediately after the launch returned to town.

31. Mansion-House.—Captain Harvey Tuckett, who fought the duel with Lord Cardigan, appeared before Alderman Pirie, to answer a charge of assault under rather curious circumstances. A young man, named Owen Worsley, who stated that he was a saddler, and resided at No. 57, South Audley-street, Grosvenor Square, said that on Saturday night, at Greenwich, he got into one of the carriages on the railroad, for the purpose of coming to town. He had not been seated a minute when Captain Tuckett entered the same carriage, and asked him whether he ever got a good licking. He replied that he never did, whereupon the Captain gave him a blow on the face. Witness when the train reached town gave the Captain in charge of the policeman at the station. Captain Tuckett, in defence, stated that on going to the station he put his head into one of the first carriages and called to his friends, who had accompanied him, to know

whether they were inside. One of those within cried "Yes, we are here;" and he (defendant) entered the carriage. His friends were not in it, and the two persons who had given evidence began to laugh at what they considered the good joke of inducing him to enter a carriage with which he could have nothing to do. Irritated at such offensive conduct, he certainly gave the complainant a slap in the face. It was about a quarter before ten at the time. The complainant said, that he had made no observation to Captain Tuckett, nor spoken a word, before he received the blow. Alderman Pirie said, it appeared to him that there had been a great deal of provocation received by Captain Tuckett. At the same time that gentleman had no right to take the law into his own hands. The assault had been proved beyond a doubt; but the affair was out of his jurisdiction, as the blow was struck out of the city of London.

— EXECUTION OF DARMES, THE REGICIDE.—The execution of Darmes took place in Paris at seven o'clock. The day previous several attempts were made by the Chancellor and the Attorney-General to obtain from him some disclosures, which it was expected he would make after being capitally convicted; but he refused obstinately to reply to their inquiries, and to rid himself of their importunities he told them that he would reflect on the subject, and send for them if he had anything to say. His lawyer, M. Pinede, had with the greatest difficulty prevailed upon him to address an appeal for mercy to the King. This demand was rejected by his Majesty early on Sunday, and at twelve o'clock it was notified to Darmes that he had no mercy to expect. He spent the remainder of the day perfectly tranquil, not expecting to be executed before Tuesday. At half-past five o'clock he was called down from his cell to the greffe, where the fatal toilette was to be performed previous to the execution. He quietly submitted to the operation, and when it was over, he mounted with his confessor into a vehicle, commonly called *panier à salade*, which is used for the conveyance of prisoners. This carriage, escorted by municipal guards, cuirassiers, and chasseurs, proceeded up the Rue de l'Ouest, Rue d'Enfer and the adjoining Boulevard, down to the Barrière St. Jacques, where the scaffold had been erected during the night. Few spectators were in attendance. At five o'clock all the avenues leading to the Barrière had been occupied by the military, all traffic interrupted, and the people, who had congregated near the scaffold, were driven back a considerable distance. After he had alighted from the carriage his sentence was again read to him. The clergyman then took leave of him, and he ascended the steps of the ladder with a steady pace, followed by the executioner's aids. It was only when he reached the platform that he came within view of the people; his head was still covered with a black veil, and a white shirt enveloped his whole body down to the feet, which were bare. The executioner having placed him with his back to the guillotine, a dialogue appeared to pass between them; and, from the negative shake of the head which Darmes occasionally gave, it was supposed that the executioner had held out to him a hope of salvation if he would make revelations. This con-

versation occupied between three and four minutes; the aids then seized him, and having placed him with his face towards the knife, removed the black veil from his eyes, and took off his shirt. The sight of the instrument of execution seemed to strike him with awe; he started, and, feeling rather unsteady on his legs, he made a stride in order to maintain his equilibrium, and then looked on with calmness, surrendered himself into the hands of the executioner, and an instant before the knife dropped he was heard to exclaim—*Vive la France!* The body and head were then placed in a basket, and conveyed to the cemetery of Mont-Parnasse, where they were interred in the enclosure *exclusively reserved for regicides!*

— The Wreck of the Royal George, at Spithead.—All the preparations necessary for the first great explosion of this year having been made, Mr. George Hall, the diver, was sent down to examine the bottom previously to the charge being lowered into the water, when on descending into the crater of a small charge that had been fired the evening before, he unexpectedly found a gun, to which he attached chain slings, and it was brought up by means of the capstan and crab of the lump (so the vessels used in coarse dockyard service are termed) working together; after which the charge was lowered into the water, and placed as originally proposed, at the bottom of the crater formed by the small explosion before-mentioned, where it was lashed to a pig of ballast. Colonel Pasley then desired Lieutenant Hutchinson to go on board the lump where the voltaic battery was stationed, and when all was ready, gave the signal to fire by sound of bugle: before the last note was finished, an instantaneous explosion was known to have taken place by a very violent shock, or rather two blended into one, for such it seemed, accompanied by a report like that of a distant gun. At this time the tide was running strong to the eastward, in consequence of the operation having been delayed about three-quarters of an hour beyond the appointed time by the recovery of the gun. Hence, as several seconds always intervene after the explosion before its effects are seen at the surface, the strength of the tide overpowered the rising column of water, and the surface was merely raised in the form of a segment of a sphere of very moderate height, which spread gradually round in a circular form to a considerable extent, black with mud from the bottom; and this upheaving, attended with great commotion of the water, did not take place vertically over the position of the charge, but to the eastward of it. Hence, though the effect at the bottom was no doubt as powerful as could be desired, there was no column of water thrown up into the air, as in Colonel Pasley's great explosions of last year. The divers have been as successful as heretofore in their operations beneath the surface. On the 24th instant two guns were got up, one of which was a valuable prize, being a brass 24-pounder of 1742, in excellent preservation, and the other an iron 32-pounder. Great quantities of timber have also been got up, the most interesting of which was the step of the mainmast, measuring eight feet in length, more than four feet in width, and of great thickness, together with one of the wedges by which the heel of the

mast fixed over it was kept in its place, both as perfect as if they had been made yesterday. Several fragments of floor timbers and of very large beams, and the parts of the framing of one of the hatchways, have also been got up.

JULY.

1. The India (Overland) Mail.—The advices by the monthly Mail brought news from China, the several Presidencies of India, and the principal ports of the Levant. The dates were, from Bombay, May 22, from Malta, June 22; but no news from China of a later date than that contained in the last despatches.

Sir Gordon Bremer was at Calcutta organising reinforcements for our army in China. It was said that the reinforcements were to consist of 2,500 Europeans, and a small number of native troops. At Bombay similar preparations were in progess for expediting troops to China, where the most unfavourable aspect was said to prevail. This scanty intelligence produced no effect in the monetary or commercial world.

5. Accident.—As the Rev. Mr. Freeman, of Langley, was driving Mr. Maurice Swabey, one of the magistrates for the county of Bucks, in his four-wheel chaise, on the Slough-road, within about a mile of his residence, he was met by a man just as he was turning into a lane leading up to Upton, with some barge-horses, who was proceeding at full gallop. Mr. Freeman's horse took fright at the noise caused, it is supposed, by the rattling of the chains at their heels, and upset the chaise, throwing both out with great violence. Mr. Swabey fell upon Mr. Freeman, and providentially escaped with only some slight bruises. The rev. gentleman, however, upon being picked up, was bleeding profusely from the nose, mouth, and ears, and totally insensible. He was conveyed to a neighbouring house, and thence to his own residence, where he lingered a few days. He had received a severe fracture at the base of his skull, from having, in his fall, come into contact with the edge of a large stone in the road, which caused his death. The deceased, who was a man of extensive and varied classical acquirements, was highly esteemed and respected throughout the neighbourhood in which he resided.

— Sixty-four Lives Lost.—An appalling accident occurred at Rotherham, by which no less than sixty-four lives were lost. It appears that Mr. Chambers had been building a new vessel at his boat and raft yard, in Masbrough, and that the launch was to take place this afternoon. Previous to this being done, and as is the custom, a number of persons assembled on board to ride off the stocks into the water, and it is said to be necessary that they should be on board, in order to weigh the vessel. On this occasion about 100 had congregated on board, consisting of men and boys, the latter generally from about eleven to sixteen or seventeen years of age. All being ready, preparations were made for the launch, and those on the vessel were in high glee at the expected treat. The fastenings were let loose, but from some cause or other, instead of the boat sliding gently down into the water, she suddenly upset, amid the screams of the unfortunate beings on board. In a moment the whole

body of the people on the deck were precipitated into the water, many of them falling beneath the vessel. Every assistance was rendered by those assembled to witness the launch, and who succeeded in rescuing some few of the sufferers from a melancholy death. But their efforts were limited, and the greater number of those who had escaped being covered with the boat were taken out dead or soon afterwards expired. The scene at this moment was truly pitiable; the women in every direction uttering their wild cries for their lost husbands, the brothers and sisters anxiously inquiring after the relations they had missed but for a moment, parents solicitous for the safety of their children—in fact, the whole was one indescribable scene of confusion and woe, which was increased as each dead body was drawn forth from the fatal river. While those poor sufferers who were visible were being taken out, Mr. Chambers was most actively employed in making efforts to bring the boat to its proper position, in order that those beneath might be extricated. In order to effect this purpose ropes were attached to it, and the assistants of Mr. Chambers, as also the by-standers, endeavoured to effect the object in view, but without success. Horses were then procured, and the ropes and chains re-attached, but this time the fastenings gave way, and it was not until further efforts were made and a delay of nearly two hours that the object was gained. Each time, as the boat was partially lifted up, the bodies of the unfortunate sufferers kept floating from beneath; and when it was set right, eight or ten bodies were taken out in the space of as many minutes. Sixty-four bodies, in all, were taken from the water lifeless!

16. An accident of a frightful nature, by which a man named Giles lost his life, occurred in the ice-well of Messrs. Rhodes, the ice merchants of Hackney-fields. The deceased, with other men in the same employ, were down the well at work digging out the ice for the purpose of loading some carts which were waiting. The well is entered by a door at the bottom, the ice being above it, and the men, when any ice is wanted, are obliged to cut it from the bottom, working their way further in as the stock decreases; by this a great excavation is made into the middle of the ice, and in several parts they are able to proceed a great distance. The deceased with three men was at work under one of these places when the whole of it fell in; the deceased's companions escaped in the most miraculous manner, but he being further in the place than they were was buried under the falling mass, which weighed several tons. The fall was so sudden, that one of the men nearly shared the deceased's fate. As soon as their fright was over they set to work in digging the deceased out, but 20 minutes elapsed before they came to him. On taking him out he was alive, but in a most dreadful state of suffering, his arms and legs appearing to be crushed. He was removed on a stretcher to the London Hospital, where he died in an hour after his admission.

Two Firmans have lately been promulgated by the Sheik ul Islam, which it is said have created great discontent among the fair inhabitants of the Turkish harems. The first is somewhat to the following effect:—"Whereas it has come to

the knowledge of those whose duty it is to watch over the morals of the faithful, and to see that none shall presume to transgress prescribed rules, that certain women of unblushing boldness and frivolous demeanour have, in imitation of those daughters of burnt mothers, the she-Kiaffirs of Pera, permitted their noses, and even their lips, to be exposed to the wanton gaze of passengers, it is enjoined, in the name of the Most Merciful, the recompenser of all virtue, that the wives and daughters of the faithful shall cautiously abstain from all such indecencies, and that they shall carefully wrap their yachmecks (veils) round their faces, in such manner as to conceal their lips and noses, and only leave a sufficient aperture for the purpose of seeing that they do not defile themselves by coming in contact with any male infidels. Let them attend to this, or it will be the worse for them." The second is still more stringent, and not altogether exempt from a piece of scandal; it is couched more or less in these terms—"Allah is great and omnipotent, and has placed limits to all things. It being a matter of public notoriety that the infidel traders of Pera have increased in number, and stored their shops with divers tempting articles, the offspring of Satan's inventions, whereby the wives and handmaids of the faithful are excited to acts of most objectionable extravagance, thereby injuring their domestic felicity, and entailing great pecuniary inflictions upon their husbands and lords; it also being observed that, not content with filling their shops with these luring creations of Eblis, the aforesaid breeders of mischief place behind their counters youths of comely appearance, hoping strongly to further captivate and intoxicate the senses of true-believing women, and thence endangering their souls as well as their purses, it is consequently ordained in the name of the Avenger of all Incongruities, that caution and discretion be inculcated by husbands and male relatives, and that the pernicious practice of frequenting these infidel traps of destruction be put an end to. Let this serve as a warning, or all parties will eat considerable dirt in this world and in the next."

Letters have been received from Captain Butterfield, of Her Majesty's ship Fantome, bearing date May 1, 1841, lat. 1° 56′ S., long. 8° 40′ W., giving details of the capture of the Josephine, the fastest brigantine out of Havannah, with 299 slaves on board, after a severe chase of 24 hours, going over 257 miles of ground, and carrying a press of sail that placed every spar in jeopardy. The chase appears to have tested the sailing qualities of the Fantome, and to have placed her as one of the fleetest of her class in the service. The prize had been chased by Her Majesty's ships Wolverine, Bonetta, Cygnet, and Lyra, all of which she escaped by her superiority of sailing. During the chase, the captain of the brigantine supposed he had to encounter the celebrated Waterwitch, and treated with derision the idea of his being captured by a ship of war. Captain Butterfield was obliged to send his first lieutenant in charge of the prize, leaving himself as the only officer on board; having lost by death the master, second lieutenant, and surgeon, who had not, at the date of his letter, been replaced.

19. Fatal Accident on the River.—About five o'clock in the afternoon a melancholy accident, which was attended by the loss of three lives, occurred at Westminster-bridge. A young man of the name of Benjamin Harbour, a farmer's labourer, residing in the neighbourhood of Croydon, was, on Sunday, at St. Martin's-in-the-Fields, married to a young woman named Caroline Stedman, and that this day being in town, they with five friends took a boat at Hungerford-market, with a view of having a row up the river in celebration of the event. They proceeded nearly up to Vauxhall-bridge, and then turned back. All went on very well until their arrival at Westminster-bridge, when, through the bad management of the rower, the wherry was driven athwart one of the piers, and instantly went into two halves. Of the seven, four were quickly rescued, but the other three perished.

23. The General Election.—The Thirteenth Imperial Parliament having been dissolved on the 23rd, the General Election took place during this month. Notwithstanding that party spirit had been much excited upon some points, and that much excitement prevailed among the partisans of rival candidates, the public peace was in few instances broken. For the general result the reader is referred to the historical portion of this work: the state of the polls in some of the more important counties, cities, and boroughs, is here given:—

CITY OF LONDON.

Mr. Masterman (Tory)	6,339
Sir M. Wood (Whig)	6,315
Mr. Lyall (Tory)	6,290
Lord John Russell (Whig)	6,221
Mr. Attwood (Tory)	6,212
Mr. Pattison (Whig)	6,070
Mr. Crawford (Whig)	6,065
Alderman Pirie (Tory)	6,017

CITY OF WESTMINSTER.

Captain Rous (Tory)	3,338
Mr. Leader (Whig)	3,281
Colonel Evans (Whig)	3,258

BOROUGH OF MARYLEBONE.

Sir Benjamin Hall (Whig)	4,661
Commodore Sir C. Napier (Whig)	4,587
Mr. B. B. Cabbell (Tory)	3,401
Sir J. J. Hamilton (Tory)	3,383
Mr. Sankey (Radical)	61

TOWER HAMLETS.

Mr. Clay (Whig)	4,706
Mr. Fox (Whig)	4,096
Mr. Robinson (Tory)	2,183
Mr. Hutchison (Tory)	1,775
Mr. Thompson (Radical)	831

BOROUGH OF LAMBETH.

Mr. Hawes (Whig)	2,601
Mr. D'Eyncourt (Whig)	2,558
Mr. Baldwin (Tory)	1,999
Mr. Cabbell (Tory)	1,763

GREENWICH.

Captain J. W. D. Dundas (Whig)	1,747
Mr. S. G. Barnard (Whig)	1,592
Sir G. Cockburn (Tory)	1,274

LIVERPOOL.

Lord Sandon (Tory)	5,979
Mr. Cresswell (Tory)	5,793
Sir J. Walmesley (Whig)	4,647
Lord Palmerston (Whig)	4,431

BIRMINGHAM.

Mr. Muntz (Radical)	2,175
Mr. Scholefield (Radical)	1,963
Mr. Spooner (Tory)	1,825

BATH.

Viscount Duncan (Whig)	1,223
Mr. J. A. Roebuck (Radical)	1,151
Viscount Powerscourt	930
Mr. W. L. Bruges	926

BRIGHTON.

Captain Pechell (Whig)	1,445
Mr. J. N. Wigney (Whig)	1,228
Captain Dalrymple (Tory)	868
Mr. C. Brooker (Chartist	4

HULL.

Sir J. Hanmer (Tory)	1,844
Sir W. James (Tory)	1,830
Mr. James Clay	1,761
Colonel Thompson (Rad.)	1,641

LEEDS.

Mr. W. Beckett (Tory)	2,076
Mr. W. Aldam (Whig)	2,043
Mr. Joseph Hume (Radical)	2,033
Viscount Jocelyn	1,926

MANCHESTER.

Mr. Mark Philips (Whig)	3,702
Mr. T. M. Gibson (Whig)	3,582
Sir George Murray (Tory)	3,116
Mr. Entwisle	2,685

WEST RIDING OF YORK.

Hon. J. S. Wortley (Tory)	13,165
Mr. E. B. Denison (Tory)	12,780
Viscount Milton (Whig)	12,080
Viscount Morpeth (Whig)	12,031

LINCOLNSHIRE (LINDSAY DIVISION.)

Lord Worsley (Whig)	5,401
Mr. Christopher (Whig)	4,522
Mr. Cust (Tory)	3,819

COUNTY OF HERTFORD.

Lord Grimston (Tory)	2,585
Mr. Ryder (Tory)	2,552
Mr. A. Smith (Whig)	2,525
Mr. Alston (Whig)	1,732

DERBYSHIRE.

Mr. E. M. Mundy	3,234
Mr. C. R. Colville	3,209
Mr. T. Gisborne	2,403
Lord Waterpark	2,325

DUBLIN (CITY.)

Mr. West (Tory)	3,860
Mr. Grogan (Tory)	3,839
Mr. O'Connell (Radical)	3,692
Mr. Hutton (Radical)	3,662

DUBLIN (COUNTY).

Mr. J. H. Hamilton	1,051
Mr. E. Taylor	1,042
Lord Brabazon	1,009
Mr. George Evans	1,006

24. Collision off Dover.—The Russian bark, John of Riga, laden with timber and long spars for the use of the Spanish navy, bound for Bilboa, about four miles off Southsand-head about 1 o'clock in the morning, ran foul of the Prussian bark Prosperator, Captain D. W. Albrecht, bound to Stettin, from Newport, with a cargo of iron rails, carried away her bow, and caused her to go down in about 30 fathoms water, with eight souls on board, all of whom perished. The mate of the Prosperator, the boatswain, M. Hehendorff, and Euzan, a seaman, saved themselves by jumping on board the Russian vessel.

27. Embezzlement by, and Suicide of, a Youth.—An inquest was held by Mr. Carter, at the Castle Tavern, Tooting, on view of the body of Arnold James Eades, a youth aged 17.

George Banks deposed to finding the body in the hay-loft suspended from one of the beams by a handkerchief, and ran and gave an alarm. My young master came instantly and cut the deceased down. He was found to be quite dead.

Mr. Charles Chapman, surgeon, the youth's employer, stated the means taken to restore life.

Mrs. Chapman was next examined, but the oath was not administered to her. She appeared to be labouring under great agitation. The witness having stated the cir-

cumstances to which she could bear testimony, the following extraordinary scene occurred:—

Coroner.—I have not yet sworn you, Madam. Have the goodness to take the book, and attend to the words of the oath.

Mrs. Chapman (greatly agitated)—Oh no, Sir, I will not take an oath.

The Coroner courteously insisted upon the witness swearing to the evidence she had given, otherwise he must strike his pen through the whole of it.

The witness still persisted in her refusal. She said that all she had stated was, to the best of her recollection, perfectly true, but that she was almost in a state of distraction when the occurrences she had detailed took place.

The Coroner still insisting, the witness rose from her seat, apparently in great mental agony, and bursting into tears, implored that she might be excused from taking the required oath.

Mr. Chapman (witness's husband.)—Really I see no reason why you should not swear to your statement. You know it to be true, and as a Christian you can safely verify it by the oath which the law requires.

Witness (weeping bitterly.)—Oh, spare me. I cannot take an oath.

The depositions were again read over to the witness, who declared that every word was correct; but still she refused to be sworn.

Coroner.—Then, Madam, it will be my painful duty to commit you.

Mr. Chapman.—I consider, Mr. Coroner, you are carrying this matter too far. I cannot allow my wife to stay here any longer. If she does, she will be laid on a bed of sickness.

Coroner.—You must allow me, Sir, to know my duty. I am bound by law to take all evidence upon oath.

Mr. Chapman.—With deference to you, you ought to have administered the oath to Mrs. Chapman before you heard her evidence. She never had the least idea that she would be required to make her statement upon oath.

The Coroner then stated, that he should be obliged to adjourn the inquest and commit Mrs. Chapman, upon which Mr. Chapman earnestly interfered to induce his wife to take the oath, which she at last did, but fainted away at the same moment, and was carried out of the room.

The jury returned a verdict, "That deceased destroyed himself whilst labouring under temporary insanity."

29. British Association for the Advancement of Science—Plymouth.—The business of the association commenced this morning by the meeting of the general committee, which was as numerously attended as on any previous occasion. The Rev. Professor Whewell, the President elect, having taken the chair, the report of the Council was read. It stated, that in the past year there had been invested the sum of 1,000*l.* in the three per cent. Consols, in addition to the already funded property of 5,000*l.* In consequence of their attendance at the last meeting of Glasgow, the Council had elected, as corresponding members, Professors Encke and Link, of Berlin; Professor Otto, of Breslau; Professor Jacobi, of St. Petersburgh; and Dr. Lamont, Astronomer Royal at Munich. An application had been made from the Royal Geographical Society for a grant of

money for the purchase of magnetical instruments for the use of M. Schomburgk in his expedition into Guiana, which had been agreed to. The Council had also taken into consideration a plan suggested to them at Glasgow for holding the sectional meetings at different hours, which was, however, rejected by them. A plan would be proposed to the committee which had been adopted at the present meeting on account of the suggestion of Sir John Robinson at Glasgow, to diminish the amount of expenses at future towns which the Association might visit; and another proposition would also be made regulating the future publications of the society, by which their circulation would be increased, and much benefit to science at large might result. Mr. J. Taylor, the treasurer, next read the financial report of the Association. At the last report there remained a balance in hand of 309*l.* 11*s.* 6*d.*, since which there had been received at Glasgow for life compositions 790*l.* for annual subscriptions 1,843*l.*, making, with other incidental sums for dividends on stock, the sale of books, &c., a total of 3,350*l.* 12*s.* 2*d.* There had been expended for grants of money to scientific objects, 1,235*l.* 10*s.* 9*d.*; the expenses of the Glasgow meeting 300*l.*; and other sums, including the purchase of 1,000*l.* in the three per cents., which left a present balance of 367*l.* 3*s.* 11*d.* The estimated value of the funds and property of the Association was 6,955*l.* 9*s.* 11*d.* The sectional meetings were generally well attended, but the number of papers to be read does not seem equal to those at some previous meetings.

AUGUST.

2. Queen-square.—Lord Byron's Greek *protégé*, Mustapha Ali, apparently about thirty years of age, was placed at the bar, charged with having uttered a draught on Cox and Greenwood's, upon a representation that it would be paid by Colonel L. Stanhope. The defendant, it seems, was originally found when a boy of tender years, by the late Lord Byron, in a house in Greece; where he had saved himself by concealment at a time when the whole of his family perished in a general massacre by the Turks. Lord Byron placed him at a school, where, amongst other acquirements, he obtained a knowledge of English, which he speaks perfectly. His Lordship subsequently transferred him to Colonel Leicester Stanhope, with whom he remained for some time, but afterwards having forfeited, by his impropriety of conduct, two or three excellent situations, he was at length given up by that gentleman. The case was of no other interest; the prisoner was remanded.

6. Explosion at Thornley Colliery.—A dreadful explosion took place at Thornley Colliery, about fourteen miles from Sunderland occasioned by the carelessness of a "trapper," a boy whose duty it is to shut the door of which he has charge immediately after the passage of the truck which conveys the coal from the seam. Nine men were killed, three dreadfully injured, twelve more slightly. This catastrophe led to much enquiry into the condition of labourers in the coal mines.

7. Match between the Leander and Cambridge Rowing Clubs.—The recent victory of the

Cantabs over their opponents of the sister University last April, greatly increased the interest of the match between them and the crack London Club, which came off this day, at high water, in the presence of an immense crowd of spectators —the crews were as follows:—

LEANDER.	CAMBRIDGE.
Dalgleish.	Brett.
C. Pollock.	Abercrombie.
Ommanney.	Yatman.
Jenkins.	Cobbold.
Ronayne.	Anson.
Julius.	Selwyn.
Wallace.	Hon. L. Denman.
Layton.	Shadwell.
Shepheard, coxs.	J. Egan, coxs.

The start was from Westminster-bridge, when the Leander immediately took the lead, and when they passed Vauxhall-bridge, were three boats length a-head, this advantage was increased considerably at Battersea, and when the Leander shot through the centre arch of Putney-bridge, the Cambridge boat was full two boats' length in the rear. The distance was accomplished in thirty-two minutes.

— DESRUCTIVE FIRE IN UPPER THAMES-STREET. — At an early hour of the morning a fire, involving enormous sacrifice of bonded property, broke out in Upper Thames-street, near Puddledock, and raged with fearful violence for many hours. The premises belonged to Mr. Smith, a corn-factor, and were seven and five stories high, occupying an extensive river frontage. The engines of the Fire-brigade were rapidly brought into play, and the large floating engine came up with the tide, and from her immense power (being manned with not less than a hundred hands) proved very efficient in checking the progress of the flames, which were fortunately prevented from spreading to the adjoining premises, although these were somewhat damaged. Several thousand quarters of grain of all descriptions were thrown into the Thames, the surface of which was covered during several tides. From the extreme vividness of the flames, St. Paul's Cathedral, the neighbouring churches and buildings, and the river and its banks, were lighted up with fearful distinctness. The damage is supposed to be nearly 25,000*l*.

9. DESTRUCTION OF THE STEAM-BOAT ERIE BY FIRE, AND THE LOSS OF 170 LIVES.—The Erie left Buffalo at ten minutes past four o'clock p. m., laden with merchandise destined for Chicago, and with, as nearly as can now be ascertained, about 200 persons, including passengers and crew, on board. When off Silver Creek, about eight miles from shore, and thirty-three miles from that city, a slight explosion was heard, and immediately, instantaneously almost, the whole vessel was enveloped in flames. Captain Titus, who was on the upper deck at the time, rushed to the ladies' cabin to obtain the life-preservers of which there were from ninety to one hundred on board; but so rapid had been the progress of the flames, he found it impossible to enter the cabin. He returned to the upper deck, on his way giving orders to the engineer to stop the engine, the wind and the headway of the boat increasing the fierceness of the flames and driving them aft. The engineer replied that in consequence of the flames he could not reach the engine.

The steersman was instantly directed to put the helm hard-a-starboard. The vessel swung

slowly round, heading to the shore, and the boats—there were three on board—were then ordered to be lowered. Two were lowered, but, in consequence of the heavy sea, and the headway of the vessel they were both swamped as soon as they touched water. The fire was seen by the Clinton steamer, which immediately put about and reached the burning wreck about 10p.m. It was a fearful sight. All the upperworks of the Erie had been burnt away. The engine was standing, but the hull was a mass of dull, red flame. The passengers and crew were floating around, screaming in their agony and shrieking for help. The boats of the Clinton were instantly lowered and manned, and every person that could be seen or heard was picked up, and every possible relief afforded. The Lady, a little steamboat lying at Dunkirk, went out of that harbour as soon as possible after the discovery of the fire, and arrived soon after the Clinton. By 1 A. M. all was still, except the dead crackling of the fire. Not a solitary individual could be seen or heard on the wild waste of waters. A line was then made fast to the remains of the Erie's rudder, and an effort made to tow the hapless hull ashore. About this time the Chautauque came up and lent her assistance. The hull of the Erie was towed within about four miles of the shore, when it sank in eleven fathoms water. It is supposed that the fire originated as follows:—Among the passengers on board were six painters, who were going to Erie to paint the steam-boat Madison. They had with them demijohns filled with spirits of turpentine and varnish, which, unknown to Captain Titus, were placed on the boiler-deck directly over the boilers. One of the firemen, who was saved, says he had occasion to go on the deck, and, seeing the demijohns, removed them. They were replaced, but by whom is not known. Immediately previous to the bursting forth of the flames, a slight explosion was heard. The demijohns had probably burst with the heat, and their inflammable contents, taking fire instantly, communicated to every part of the boat, which having been freshly varnished caught as if it had been gunpowder. Of cabin passengers there were between thirty and forty, of whom ten or twelve were ladies. In the steerage were about 140 passengers, nearly all of whom were Swiss and German immigrants. They were mostly in families, with the usual proportion of men, women, and children. The list comprises the names of eighty-seven persons; as it is customary to pass children at half-price, the whole number in this list must have reached 100 souls. Only four persons of the whole were saved.

— MADAME LAFFARGE.—The appeal of this unfortunate woman against the verdict of the jury on her trial for stealing the jewels of Madame Leotaud, has been finally rejected, the President of the Court of Appeal having delivered the following judgment.

"Considering that the proceedings have been legally revived against the curator appointed for Marie Capelle, in so far as regards the conclusions directed against the said curator, the tribunal declares the prosecution revived. Considering in so far as regards the complaint laid against Marie Capelle respecting the robbery of the

diamonds, it has been in the result sufficiently proved by the previous examinations, that between the 10th and 15th of July, 1839, a set of diamonds was stolen from the Chateau de Busagny, belonging to Monsieur and Madame de Leotaud; that pursuits and investigations have been made, the effect of which has been the discovery in the hands of Marie Capelle, or in her residence, of the abstracted diamonds. Considering that Marie Capelle, when called upon to account for their possession, pretended that she acquired them by donation from one of her uncles; that afterwards she advanced other motives for justifying this possession; the examinations before the examining magistrates, and before the tribunal, have proved that these means of defence were founded on false allegations, some of which were defamatory towards the Leotaud family. Considering that the divers exceptions and other means of defence derived from an intercourse asserted by Marie Capelle to have existed between Madame Leotaud and Felix Clavet, justifying her possession of the diamonds as being their depositary, with a trust that she was to execute, have been totally destroyed, and that on the contrary it is established that this was a new defamation,—on these motives the tribunal declares Marie Capelle attainted and convicted of having fraudulently abstracted the set of diamonds in question; but, considering that by her condemnation to hard labour for life by the Court of Assizes, the penalty she has incurred is merged in the preceding sentence, there is no reason for pronouncing a new penalty. The tribunal, making application of Articles 401, 194, 365, and 379 of the Code, it condemns Marie Capelle by default to all the expenses of the prosecution, and orders the restitution of the diamonds; and considering that Monsieur and Madame de Leotaud have made themselves *parties civiles*, it condemns them to pay the expenses of the state, saving their remedy against the curator of Marie Capelle."

12. Election of Scotch Peers.—The election of the sixteen representative Peers of Scotland took place in the Picture-gallery of the Palace of Holyrood. On this occasion no political interest attached to the election, there being no contest, and the only alterations in the list of representatives of the Scottish Peerage in last Parliament were the substitution of the Earl of Seafield and Lord Rollo for the Earl of Home and Lord Gray, who retire by their own consent. Mr. Ferguson and Mr. Napier, Principal Clerks of Session, attended as clerks, being deputed by the Lord Clerk Register, and Principal Lee and the Rev. Mr. Bennie officiated as Chaplains. The Lord Provost, Bailies Richardson, Thompson, and Johnston, and Convenor Scott were also present, attended by the Council officers. After a prayer by Principal Lee, and the usual preliminaries having been gone through, the Union-roll was called over. The votes were announced as standing thus:—

Marquis of Tweeddale ...	52
Earl of Morton	53
Elgin	51
Airlie	51
Leven and Melville .	52
Selkirk	50
Orkney	51
Seafield	51
Viscount Arbuthnot ...	49
Strathallan ...	50

Lord Forbes	...	...	52
Saltoun	...	...	52
Sinclair	...	...	49
Colville of Culross		...	51
Reay ...	...	...	48
Rolls ...	...	...	49
Marquess of Queensbery		...	10

The first sixteen were then declared duly elected, and the proceedings were closed with prayer by the Rev. Mr. Bennie.

SINGULAR AND IMPORTANT DISCOVERY AT SALDANHA BAY.—Saldanha Bay is one of the best harbours, perhaps, in the world. It is in extent about fifteen miles, completely land-locked and protected by islands and points on which fortifications could easily be erected for the defence of a fleet; but yet, notwithstanding all its well-known capabilities for a naval station, where ships could be built or repaired, it has hitherto been entirely neglected, under the belief that there was a want of fresh water in quantity sufficient for the refreshment of ships, that necessary article being only procurable in small supplies at the Residency, or at another spot four miles off. About a month ago indications of a spring of fresh water were observed on the Schaapen Island, a place of general resort, and situate at the entrance of the bay. On tracing these up, it appeared that the fountain had evidently been discovered many years ago, but carefully concealed, and in working to its source it was found that it had been purposely sealed by masonry with cement, and its course carried through a channel into the sea, eleven feet below low water mark, evidently with the intention of hiding its existence. The supply from this spring, now released, is said to be most copious, and equal in purity to that of Cape Town, to which the Portuguese discoverers gave the significant and well-deserved name of Rio Dulce. The re-discovery of this buried treasure seems to have excited a spirit of inquiry, and a few days back, on the dam at the Residency being cleared out, two new springs were found of good water, one of which discharges ten gallons a minute, or 144,000 gallons in twenty-four hours.

14. ACCIDENT AT VIRGINIA WATER. — ALARM OF HER MAJESTY.—Her Majesty left the Castle in the afternoon in an open carriage and four, accompanied by the Duchess of Bedford and the Countess of Erroll, for the purpose of proceeding to the neighbourhood of Virginia Water, to witness the hunting along the margin of the lake of his Royal Highness Prince Albert's Lilliputian pack of beagles. The Hon. Miss Cavendish, with Lady Ida Hay and the Earl of Erroll, followed in a pony phaeton and four, and his Royal Highness Prince Albert, with several members of the Royal household, proceeded on horseback. Upon the Royal party arriving at that part of the lake near the Obelisk, about a mile from Cumberland Lodge, the carriages were drawn up close to the mound, in order to afford her Majesty a good view of the sport. They had not been upon this spot but a few minutes, when upon the beagles being brought near to the Queen, their "tuneful voices" caused the pony in the phaeton containing Lord Erroll, Lady Hay, and Miss Cavendish, upon which the front postilion was mounted, to show symptoms of kicking; and upon the dogs running between the legs of the horses, it reared upon the back of the off-

leader, and threw its rider, kicking him on the head, which came into contact with the wheel as he fell. The leaders, then under no control, darted sharply round, and rushed down the mound towards the lake, running over the dismounted postilion, and dragging the wheels of the phaeton also over him. The Earl of Erroll immediately jumped out from the off-side of the open carriage, over the door, and providentially rescued the two ladies without their sustaining any injury beyond some very trifling bruises. The other postilion, seeing the dangerous position the party were in, jumped off his horse and ran to the heads of the leaders, followed by Prince Albert, Lord Alfred Paget, and the other male attendants upon the Queen, but not in sufficient time to prevent the restive leader from darting into the lake, which at this spot is upwards of fourteen feet deep. By great exertions, in which the Prince greatly distinguished himself, the other three ponies, by skilfully cutting the traces, were prevented from being dragged into the lake, and the carriage with them; and after some time the restive leader, which had several times sunk under the water, was got ashore. Her Majesty, upon witnessing the accident, immediately descended from her carriage, in a state of the greatest alarm for the safety of those who were so fortunately rescued from their perilous situation in the phaeton. The injured postilion was found lying on the ground, stunned and insensible; he was conveyed to a house near the lake, and a messenger despatched for the surgeon to the Royal Household, on his arrival her Majesty's anxiety was speedily relieved upon finding that, although much hurt, he was in no danger.

Destruction of the Ship St. George. — Intelligence has been received of the loss of the splendid ship *St. George*. The calamity happened on the Florida shores, and all on board, excepting two seamen and the cabin-boy, perished. The *St. George* was on her voyage to New Orleans, having left London on the 29th of April last. The ship and cargo are valued at 12,000*l*.

15. After the lapse of nearly forty years, the column at Boulogne, intended by Napoleon to commemorate the invasion of Engglland, but under which he contented himself with distributing some thousands of ribbands to his soldiers, has been at length completed. A statue of the Emperor, cast in bronze, was "inaugurated" on the top, and inscriptions in inflated French and very dubious Latin, commemorative of that important event, cut in black marble, and filled in with red paint at the bottom. Guns were fired, bells rung, and thousands *of English* assembled on the downs around the column, and hailed the auspicious event with loud cheers. It is said that some scapegrace, with more malice than taste, contrived to scratch upon the statue, before its elevation, the letters V. P. W., which having been interpreted to signify "*Vaincu par Wellington*," had nearly caused an interruption of the harmony generally prevalent between the citizens of Boulogne and their English visitors, but fortunately the necessities of either party prevented an explosion. The following are the inscriptions:—

" LVDOVICVS PHILIPPVS I.
FRANCORVM REX
QVIBVS IN LOCIS NEAPOLIO IMP.
EXERCITVI FLORENTISSIMO INVICTO PROPVGNATORI PATRIÆ
INSIGNIA LEGIONIS HONORATORVM DE SVGGESTV DISTRIBVIT
VTI MEMORIA EJVS DIEI
QVI FVIT D. XVI. AVGVST ANN. MDCCCIV.
GLORIAQVE EXERCITVS
MONVMENTO CONSECRATAE POSTERIS TRADERENTVR
COLVMNAM
AB EXERCITV D. IX NOVEMB. ANN. MDCCCIV. INCHOATAM
OPERE DIV INTERMISSO
PERFICIENDAM CVRAVIT DEDICARIQVE PRAECEPIT
ANNO MDCCCXLI."

" On this spot, 16th of August, 1804, Napoleon, in presence of the Grand Army, distributed the decorations of the Legion of Honour to the soldiers and citizens who had deserved well of their country. The four corps commanded by Marshal Soult, and the Flotilla under the command of Vice-Admiral Bruer. Wishing to perpetuate the remembrance of this day by a monument, Louis Philippe I., King of the French, finished this column, consecrated by the Grand Army of Napoleon."

16. Mr. Wood, of Gloucester.—The great importance attached to this case, from the immense amount of the property in dispute, and the singular circumstances attending the cause, will render the following summary of the testator's estate of some interest:—

	£	s.	d.
New Annuities	66,221	11	0
East India Stock	3,000	0	0
Three per Cent. Consols	57,500	0	0
New Three-and-a-Half per Cents.	333,098	13	8
Bank Long Annuities	9	5	0
Three per Cents. Reduced	9,380	19	10
Reduced Three-and-a-Half per Cents.	181,000	0	0
Bank Stock	52,000	0	0
Rents due from his freehold and copyhold property at the time of his death	4,677	15	0
Rents of leaseholds due at the time of his death	710	10	9
Mortgages	15,639	6	1
Interest on ditto, due at his death	1,391	12	9
Bonds, bills, and notes of hand	5,408	5	10
Interest on ditto at his death	395	19	11
Banking accounts due to his estate at the same time	11,325	1	4
Debts owing to him for shop goods	138	7	9
Balance of cash in the hands of Sir John Lubbock and Co.	9,756	12	6

Carried forward

	£	s.	d.
Brought forward			
Cash found in his house	2,416	10	0
Silver	49	1	0
Copper	0	0	11
Bank-notes	5,237	0	0
Check	9	0	0
Old gold—six five-guinea pieces, five two-guinea ditto, nine one-guinea ditto, and two foreign pieces; all of which were sold for	51	16	6
Old silver—69 pieces produced	5	4	0
One old gold piece	0	2	6
Rents of his leaseholds	711	4	0
Wearing apparel	5	0	0
Household furniture	323	0	0
Plate	256	0	0
Stock in trade	579	10	0
	781,107	10	4

Added to this amount of personal property, the freehold estates are valued at 200,000*l.*; so that with the five years' interest now accumulated, we may reckon his property to amount to the immense sum of nearly 1,200,000*l.*

19. MEETING OF PARLIAMENT.—This being the day appointed for the meeting of the second Parliament of her Majesty, the Lord Chancellor, on entering the house at half-past two o'clock, addressed their Lordships as follows:—"My Lords,—Her Majesty not thinking fit to be present here this day in her royal person, has been pleased to cause a commission to be issued under the great seal for the opening and holding this Parliament."

The Lords Commissioners were the Lord Chancellor, the Marquess of Lansdowne, the Marquess of Normanby, the Earl of Clarendon, and Viscount Duncannon, who took their seats in front of the throne.

The Gentleman Usher of the Black Rod (Sir A. Clifford) was directed by the Lord Chancellor to summon the Commons, when Mr. Ley, the chief clerk, appeared at the bar, accompanied by several members. Business then proceeded in the usual form.

26 Letters from St. Petersburgh state that the great hall of St. George of the winter palace, which had just been rebuilt, had given way, and all the splendid Italian paintings and vases which it contained been destroyed. The loss is estimated at several millions of francs. No life was lost; and the remainder of the palace was intact. On the day before the accident a chapter of the order of St. George was held in the hall which had fallen.

29. TERRIFIC THUNDERSTORM.—THE STEEPLES OF TWO CHURCHES STRUCK AND SHATTERED BY LIGHTNING.—At an early hour in the morning a terrific storm of thunder, lightning, and rain burst over Liverpool. Rain came on about nine o'clock on the preceding evening, followed by vivid flashes of lightning. At daylight the damage done by the electric fluid

was discovered to have been extensive. The spire of the church of St. Michael, at the south end of the town, and that of the church of St. Martin's-in-the-fields, at the north end, and three miles from the other, were found to have been struck by the lightning, and so damaged by it, that ten feet of the latter, and nearly the whole of the former, must be taken down, lest they should fall. The steeple of St. Michael's was struck just above the clock, and a rent several feet in extent made by the lightning in its passage. The clock was stopped at the instant, and stood at twenty minutes past two. The steeple of St. Martin's-in-the-fields was struck just at the first string of beading, about ten feet from the apex. A large hole, two or three feet in circumference, was made by the electric fluid, and the top of the spire rested for support on not more than two-thirds of the stones forming the circle. The displaced stones fell on the roof, which they broke through, and damaged the organ and the interior of the church.

27. Calamitous Fire at St. John's, New Brunswick.—At half-past one o'clock on Thursday afternoon, the 27th of August, a fire commenced in the ship-yard of Messrs. Owens and Duncan, in the adjoining village of Portland, and before it was stayed it had extended its ravages over a principal part of that thriving place. The catastrophe is said to have had its origin in the firing of a quantity of chips and sprinklings of tar, at the bows of a new vessel nearly completed, in the ship-yard, by a red-hot bolt which fell from the hands of one of the workmen engaged in enlarging a hole in a portion of the ship's rigging. From the side of Portland-street, adjoining the ship yard, the flames crossed to the opposite side, destroying all the houses on that side from the house occupied by Mr. Blackburn, tailor, and others, to the foot of Fort Howe, and extending to all the houses situated directly in the rear of those last mentioned, on the side of the hill, and which have their front on the road leading round Fort Howe in the direction of Jenny Spring Farm. Returning to the place where the fire originated, it extended up Portland-street to the street running south past the Methodist meeting-house and engine-house, which formed the western boundary, and consumed every thing in its course, reaching back the whole depth of that block. The Methodist meeting-house, the only house of the block in which it stands that was burned, was the last building that caught fire. The fire raged without intermission for nearly five hours, and consumed property, of the value of which no correct estimate can yet be formed, but which is supposed to amount to 25,000*l*.

News from China through the United States.—The Philadelphia *American Sentinel* brought by the Great Western steam-ship, offers a curious proof of the extensive ramifications of commerce, and the consequent rapidity of international communication, having conveyed to London news from China of seventeen days later date than had been received direct! The following extracts are of the most importance.

"We learn from Captain Dumaresq, of the ship Abkar, arrived this morning, 109 days from Canton, that immediately after the fall of the Bogue Forts the city of Canton was evacuated by all who

could afford to leave, taking with them their families and property, and when the Abkar left, China-street and business part of the suburbs were deserted, shops closed, and scarcely any one to be seen. On the news of the attack upon the Bogue reaching Pekin, the Emperor ordered three Imperial Commissioners (one a near relative) to proceed to Canton, and to exterminate the English, swearing in his edict that both Powers could not stand, and one or the other must conquer or perish. Keshen was ordered in chains to the capital to be tried as a traitor, for having degraded himself so much as to meet the Plenipotentiary or to listen to the cession of Hong Kong. Two of the important characters reached Canton in time to behold the success of the British arms, and to sign the truce and to sanction a temporary trade. The loss of the Chinese in the various engagements was estimated at 2,500 or 3,000 men, and about 800 pieces of cannon. The Chinese Admiral, Kewang, fell in defence of the Bogue Forts, as did two other mandarins of high rank. The captain of a British transport, arriving at Chusan after the surrender of that island to the Chinese, was slain on landing. The day after the fall of the Bogue Forts rewards were offered for the capture or destruction of British ships: 100,000 dollars for a line-of-battle-ship, 10,000 dollars for a steamer, 50,000 dollars for the Admiral or Captain Elliot, if taken alive, and 30,000 for either of their heads."

"REPORT FROM THE BOARD OF PUNISHMENTS.

"On the 10th of the 2nd moon (March 2) the Criminal Board received the Imperial will as follows —'Keshen, the Governor-General of the two Kwang provinces, has trifled with the laws and brought in the rebellious barbarians; his conduct involving the high crimes of deceiving and being a traitor (to his Prince and country). When the exterminators — the deputed great Ministers—arrive in Canton, let them immediately seize from him the seals, and place under control and examination all his family and nearest relatives. Let the males be instantly forwarded to the capital for strict trial, and as they are sentenced, be delivered over to the Criminal Board for punishment. Those who have received the wealth and goods of the rebellious barbarians, and secretly transmitted them to their families, let the said Ministers seal up the goods, &c., and send in a report and list. The deputed great officers must not be guilty of any connivance in opposition to the laws, and ungrateful forgetfulness of my Imperial favour. As to the officers who are victorious, they shall be distinguished. All may rely upon my Imperial intentions.'"

SEPTEMBER.

9. SALE OF VAUXHALL GARDENS.—This celebrated property, for so many years a favourite place of public amusement, was submitted to "the hammer" under an order of the Court of Review, at Garraway's Coffee-house. It was stated, that the property was copyhold of the manor, of her Majesty, as lady of the manor of Kennington, in right of her Duchy of Cornwall. It was subject to a quit-rent of not more than 1*l.* 3*s.* 7*d.* yearly; and comprised altogether about eleven acres. After a slight

competition, the property was knocked down for 20,200*l.*

— The Prince's Theatre, built by Mr. T. Hamlet, the jeweller, at an expense of 47,000*l.*, was put up to auction at the City Auction Mart, by order of his assignees. After some competition the property was knocked down to Mr. Hiam, for 16,400*l.*

— Accident on the Great Western Railway.—The mail-train from Bristol, which was due at the Paddington terminus at five o'clock, A. M., did not make its appearance until a few minutes before eight o'clock. The cause of delay was ascertained to be as follows:—Nothing whatever happened to impede the progress of the engine and train until its arrival at the eighty-seventh milestone from London, about four miles on this side of Wootton Basset. At this spot, owing to an extensive slip in the newly-formed embankment, one of the rails got displaced and shifted outward. On the arrival of the engine and train, the joint of the rail flew up, and caused the former to go off the line at full speed into the embankment, in which it became embedded to a considerable extent. The sudden stoppage of the train caused a tremendous collision between the carriages, two of which were literally smashed, and the guards and engineers were thrown off with considerable violence. Two gentlemen had their ancles dislocated, and were otherwise seriously injured; a third had met with several bruises about the body; and a fourth was severely cut by the glass of the windows in the face, as were also other passengers more or less. The guards were cut and scratched about the face and hands, but the engineers escaped without any injury.

— Fatal Accident on the North Union Railway.—A coroner's jury, met at the Railway Hotel, Euxton Station, to inquire touching the death of the Rev. Robert Ivy, an Independent Minister.

Robert Sarjeant, labourer, of Euxton, deposed, that he was employed on the railway. On Tuesday, a little before one o'clock, he was going to his work. He was about 200 yards from the station at Euxton, on the Preston side, when an engine drawing a number of empty waggons, passed by towards the station, and directly after he heard a tremendous smash. He did not hear any whistle before he heard the smash. Witness turned back to the station-house, and when he got there he saw Thomas Nixon, the keeper of the station, lying close by the side of the wall. He was lying down partly on his side, and his foot was almost off. There was an old man named John Arnold lying upon a piece of the station door. Witness also saw two more people four or five yards from him, and a woman much hurt near to them. Witness also saw a gentleman lying dead some distance further on. Witness saw the pieces of a coach, it was all smashed to bits. He had not seen the coach before. Some of the fragments were in the middle of the road and part upon the pavement alongside. One horse was in the middle of the road dead, above ten yards from the station, and another horse was lying considerably further down the line, towards Wigan. The engine stopped opposite to where the last horse lay. When the engine passed witness it was going at about the usual speed, about thirty miles an hour. One of the horses was betwixt the two

lines of rails, the other was fast upon a break on the Euxton side of the railway.

Mr. James Johnson.—I am agent to Mr. Pearson, of the colliery at Ince. On Tuesday, at a little before one o'clock, I was upon the tender of the Asa engine. There were several empty waggons attached to the engine. They with the engine are the property of Thomas Pearson and Co. I was acting as breaksman to the engine. We were travelling on the North Union line towards Wigan. When we were within thirty or forty yards from the Euxton station gates witness observed a gray horse with his fore feet in about the middle of the two lines of rails. It appeared to witness that the horse was floundering; it could not go on. Witness could not see the coach on account of the excavation. The engineer called out, "My God! Johnson, here's the coach." Witness put on the break, and the engineer reversed the motion of the engine instantly. When the engine stopped the engineer and witness got off and ran towards the station to give assistance. The first person he saw was the deceased. He was about forty yards from the station, between the two rails on which the waggons had travelled. He was lying on his face. Witness got hold of him; he was not quite dead, but senseless. His foot appeared dreadfully mangled. Witness thought he had no chance to survive, and left him to attend to the others. When witness returned to the station, he found the fragments of a coach in front of the building. There was also a seat of the coach in one of the waggons, and a coachwheel on the buffer on the hinder end of the engine. The seat of the coach was in the third waggon from the engine. The wheel was on the buffer on the station-house side.

Mr. Charles Edward Paton deposed, that on Tuesday he came by the coach from the Rawlinson station. He sat on the box by the side of the coachman. Just as they got on the railway line, the coachman said, "Who the devil has left the gate open." Witness turned round and saw a train advancing. Witness said, "We are all dashed to pieces," and in an instant he felt the shock. He remembered nothing more.

Mary Nixon deposed, that she was the wife of Thomas Nixon, who keeps the gates at the Euxton station, and was in the employ of the North Union Railway Company. On Tuesday, between twelve and one o'clock, her husband had just been out to see if any engine was coming, and had sat down in the kitchen to take his dinner. When he heard the coach come down the lane he went out. Witness saw the engine and the coach coming, and knew what was going to happen. The gates were open, but they are shut when an engine comes down the line, to prevent carts or other vehicles coming across the line. It was her husband's duty to close the gates when he saw a cart and an engine coming. Witness heard the crash, but did not go out until all was over. Her husband has since had his leg taken off. He told her he had been thrown down by the horse.

The jury returned a verdict of "Accidental death."

Cast-Iron Church. — St. George's Church, Everton, Liverpool, is an object of considerable interest as having been nearly the

first iron church erected in Great Britain. The whole of the frame-work of the windows, doors, groins, roofs, pulpit, ornamental enrichments, are of cast-iron. The length is 119 feet, the breadth is 47. It is ornamented by a splendid cast-iron window filled with stained glass.

— Chinese Cannons.—In the Parrock-hall, which recently arrived in St. Katherine's Docks from China, were two splendid cannons, which were taken from the Chinese at the Bogue Forts. They have been sent to this country as a present to her Majesty's Government. They are of Spanish manufacture, about eleven feet in length; the touchholes have been spiked, which renders them quite useless; they weigh about two tons each. One of them bears the following inscription:—"Por vida do Capitao-Geral de Macao, Manoel y Tavares Bocarao, Afez, 1651." On the other is the Spanish crown, and "Don Felipe I., Rey d'Espana."—"Don Miguel Tavares Rocaeroze y San Geral y Mor, ecaptiad de Ari Aean Macao, A. 1652." A large bullet, of Chinese manufacture, was also sent by the same ship; it was exceedingly rough and ill-shaped, and seems to have been cast in two pieces, and rivetted together afterwards.

9. An Inquisition was taken before Mr. Wakley, M.P., at the Blue Posts, Tottenham-court-road, on the body of George Veitch, aged thirty-five:—Mrs. Mary Brown deposed that the deceased lodged in her house. At a few minutes after two o'clock on the previous Wednesday witness was called to by deceased's wife, saying, "For God's sake, Mrs. Brown, come up stairs; my husband has woke up in a fright, and I think is going out of his mind." Witness accordingly went, and on entering the bedroom saw deceased sitting on the side of the bed, throwing himself in all manner of postures, and exclaiming, "Oh, my tooth." On seeing witness he asked her if the left side of his face was swelled, and there appearing nothing the matter with it, she said, "No;" when he replied, "I have got the toothache; fetch somebody to me, or I shall die," adding, "give me a razor or a knife, and I'll kill myself, for any death is preferable to this agony." Witness endeavoured to calm him, but his conduct becoming violent in the extreme, and fearful that he would do himself some mischief, she called her husband, who was just entering the room when the deceased was in the act of throwing himself on the floor, which witness perceiving, prevented by pushing him back on to the bed, when his eyes immediately became glazed and fixed; he appeared senseless, and spoke no more. Mr. Odding, surgeon, was sent for, and bled him. Deceased, however, was quite dead. Mary Veitch, wife of deceased, stated, that to her knowledge her husband, up to the time of his death, had never had a day's illness. On Monday last, while opening a window, he ran a rusty nail very deeply into the palm of his left hand, which immediately swelled to a great size, nothing however was applied, and on the following day the fingers were so stiff, as to render him unable to move them; still no notice was taken, and he subsequently complained of sore throat. On returning home on Wednesday morning at ten o'clock, he went to bed, and at two woke up in a frantic state, telling her he had got

the toothache, and to fetch a doctor. His manner alarming her, and thinking he was insane, she called the last witness. Mr. Wakley said, that the evidence certainly tended to shew that the deceased lost his life through the injury accidentally sustained in his hand by the rusty nail; and it was extraordinary that, when symptoms of lock-jaw were evinced, by the terrific and violent action of the nerves, causing the fingers to be rigid and stiff, medical aid was not procured, although, perhaps, it would not have been of any benefit; for to counteract such symptoms the whole Materia Medica had been searched, and all kinds of means adopted, but in vain—all had failed.—Verdict "Accidental Death."

11. Strike at the New Houses of Parliament.—The masons employed on these buildings numbered 222, and the whole of them belonged to the "Birmingham Union of Masons." Some of these men conceiving they had grounds of complaint against the foreman of the works, sent a deputation to Messrs. Grissell and Peto, alleging their grievances, which were, that he had refused to allow a man leave of absence to bury his mother, that he confined them to two houses for purchasing refreshments, and that he refused to discharge a man for doing his work in *less* time than it pleased the Union to set for it. The first charge was disproved, the second rectified, and the third highly approved of. But the Unionists refused to return to work unless the foreman, Mr. Allen, was discharged; this being decidedly refused, the whole of the masons in the employ of Messrs. Grissell and Peto "struck." Thus three great national undertakings—the Houses of Parliament, the Nelson pillar, and the new dock at Woolwich, were brought completely to a stand. The Government, however, readily extended the time of contract, and by great exertions sufficient men were collected to proceed with these works, and these misguided men not only failed in their attempt, but were reduced to great want.

— New Lighthouse.—A new lighthouse intended to be placed ultimately on Morant Point, in the island of Jamaica, has been erected in the yard of Messrs. Bramah and Robinson, Pimlico. Its height is 105 feet, 15 feet of which will be sunk into the solid rock, and loaded in and out with rubble and concrete. The whole tower is formed of iron plates, one inch in thickness, and of these plates there are nine tiers, eleven plates at the bottom, and nine at the top; the whole are strongly bolted together with iron flanges, and when permanently fixed will also be cemented with iron cement, and thus, in effect, become one entire whole. To reduce the heat in the interior which the strength of a tropical sun acting on a building of metal only one inch in thickness would render unbearable, the whole will have an interior lining of slate, with an interval of one inch and a half between it and the iron, by which contrivance a current of air will constantly be in circulation over the whole. The diameter of the tower is eighteen feet six inches at the base, and decreases at the top to eleven feet six. The entire weight of the whole fabric is exactly 100 tons. The whole expense, including the plan, the building, the passage over the Atlantic, and the erecting it on the promontory of Morant, will not exceed 7,000*l*.

11. Accident on the Bristol and Exeter Railroad.—At the Bridgewater terminus, on Saturday last, an engine was employed to transfer some carriages from the down to the up line, and was returning with its tender in front, when, on arriving at the crossing, the Exquisite stage coach, with passengers for Exeter, was in the act of passing over the rails. The tender struck the fore part of the coach, which it shivered to pieces. The hind wheels, with a part of the body of the coach, were forced off the line by the violence of the shock, and fell over, while the passengers were scattered about in every direction. The horses, from the complete smash of the coach, were liberated, and escaped with but little injury. Six persons were more or less injured.

Lynching Gamblers — From Fifty to Seventy-five Persons Murdered.—The following horrible transaction has been related in the American papers, and has not been contradicted:—The section of country above and below the mouth of White River on the Mississippi, has been for years infested with gangs of gamblers and counterfeiters. Islands 67, 68, and 69 were notorious resorts for them. The people of Coahoma county, Mississippi, and from the opposite side of the river, determined to rid themselves of such pests; and our information is, that they succeeded in capturing from fifty to seventy-five of them. On the 3d of August they placed them on board a trading-boat, took her to an unfrequented place, so that there might be no witnesses, and shot and drowned them all.

Attempt to Assassinate the Duke of Orleans.—The following is the express received in London announcing this wicked attempt, (*see* History), and hints darkly at other transactions, showing the dissatisfied state of the interior of France:—"Paris, September 13. An attempt to assassinate the Duke of Orleans was made this forenoon near to the Rue Faubourg St. Antoine. His royal Highness and his brothers, the Dukes de Nemours and d' Aumale, preceded by a brilliant staff, were riding at the head of the 17th Light Infantry, which was about to make its triumphant entry into Paris, coming from Algiers, and had reached the spot just mentioned, when a man presented himself before them with a brace of pistols, which he attempted to fire at the Duke of Orleans; only one of these went off, the ball from it missed the Duke, but severely wounded the horse of Colonel Levaillant. The assassin, a journeyman sawyer, was arrested, and the column moved forward under the escort of several hundred Municipal Guards and Cuirassiers, and of as many of the secret society men (Republicans) in *blouses*. No further incident occurred. This atrocious attempt is connected with *émeutes* which took place in Paris on Friday and Saturday nights, but which had not attracted much attention.

"At Clermont Farraud rebellious movements occurred on Thursday and Friday last, in which several soldiers were killed and wounded. A large number of the rebels fell in defence of the barricades they had erected. The pretext for this insurrection was that which was used at Toulouse—the census.

"Notwithstanding these unpleasant occurrences, the Paris Bourse was affected only in a trifling degree on Monday.

"The *National* of Sunday was seized for an article on the disturbances at Macon, in which it says, that the Government neglects no opportunity of bringing the army into collision with the citizens, and of habituating the army to shed the blood of the people. There were four persons killed at Macon, two mortally wounded, and six others more or less severely injured.

"P. S.—The author of the attempt is named Nicolas Papard; he is thirty-seven years of age, born in the district of the Vosges, and established at Paris about three years. The horse ridden by General Schneider was also wounded. The disturbances at Clermont were completely appeased."

21. HORRIBLE MURDER IN EASTCHEAP.—A most horrible murder was committed at the King's Head public-house, Eastcheap, on the person of Mr. Burdon, the landlord of the above house, as well as an attempt at the life of two other persons, the sister of Mr. Burdon and his wife.

At about three o'clock in the morning, a person of the name of Blakesley accosted Sergeant Bradley, 503 of the City police, and inquired of him how he could obtain possession of his wife, who, he stated, was staying at the above house, but after being advised to call in the afternoon he went away. At about ten o'clock at night he went to the King's Head, with every appearance of extreme agitation depicted on his countenance, and proceeded behind the bar, where the deceased was sitting on a chair dozing, and his (Blakesley's) wife attending to the customers; the villain, without saying one w rd, drew from his pocket a butcher's knife, and made a desperate thurst at his wife, wounding her in a dreadful manner; her screams awoke Mr. Burdon, who while in the act of rising from his seat, was stabbed in the stomach by Blakesley, the knife penetrating to the handle. He fell at the bar door into the passage, bleeding in a dreadful manner. After making an attempt to strike Mrs. Burdon, the murderer stepped over the body of his victim, who was writhing in the agonies of death, and made his escape. Mr. Smith, of Grace-church-street, was instantly sent for, but ere he arrived Burdon had expired. His attention was then directed to the unfortunate woman, who had gone up stairs, leaving traces of her blood from the bar to her bed-room, and whom he found in a very dangerous state, having been severely wounded. The murderer made his escape, and was not taken for some days. (*See* Law Cases.)

THE INQUEST. At six o'clock, Mr. Payne, the coroner for the city of London, and a jury of twenty, assembled in the coffee-room of the Blue Anchor Tavern, St. Mary-at-Hill, to investigate the circumstances connected with the above murder.

Mrs. Eliza Burdon, the widow of the murdered man, was first examined.—On Tuesday evening I was sitting in the bar, at the corner nearest the window. My husband was sitting in a chair at the back part of the bar. He was sitting with a handkerchief over his face, asleep, with one arm resting on the table. My sister, whose name is Sarah Blakesley, was in the bar talking to me. She is the wife of my husband's murderer. About ten minutes after ten I was alarmed by hearing hurried steps

on the outside of the bar, and on looking up I saw the man Blakesley. He ran round the bar, and making a spring at his wife, caught hold of her hands, exclaiming, "My wife, or her life!" He then stabbed her in the right side, and before I could get up he drew it away from her, and plunged it into my husband's left side. He then made a plunge at me, but I jumped on one side and avoided the blow. I think he then had the knife in his left hand. Blakesley then made towards the bar to go out, and my husband and sister went after him. My husband just reached the bar door when he fell. Blakesley looked back as though he meant to return. He got as far as the street door and again looked back, and then, I think, threw the knife down and ran away. I screamed, and my sister exclaimed, "Oh, it is my husband; he has committed murder!" She appeared then to discover she was stabbed, and I saw blood flowing from her side. When I looked towards my husband, he was lying with his back on the floor, and there was a large pool of blood on the floor. My shrieks and those of my sister brought some persons who were in the parlour to our assistance, and one of them ran after Blakesley, who was at that moment going out of the door, and the other for a doctor. I think my husband lived about four or five minutes after he fell, but he was quite insensible, and never spoke a word.

James Jarvis,—I was in the parlour of the King's Head public house on Tuesday night last. The parlour is a little beyond the further extremity of the bar, at the back part of the premises. Shortly after ten o'clock I, as well as some other persons who were there, was alarmed by hearing some loud shrieks, apparently proceeding from the bar, and likewise struggling. I ran out, and saw Mr. Burdon in the act of falling. I prevented his head hitting the ground by catching him as he was falling. The deceased exclaimed that he was stabbed, and asked me to fetch a doctor.

Several other witnesses were examined at great length: their evidence was chiefly repetition of the above, and tending to show great negligence in the police in allowing the murderer to escape. The jury at once returned a verdict of "Wilful Murder" against Robert Blakesley.

OCTOBER.

2. Fatal Accident on the London and Brighton Railway. —Four Lives Lost.—The second down train (first class), which leaves London at a quarter to eleven o'clock, after passing the magnificent viaduct which spans the Ouse valley, was proceeding through the cutting in Copyhold-hill, near Cuckfield, and about a mile from the Hayward's-heath station, propelled by two engines, when, owing to some unknown circumstance, the first engine ran off the line, and was followed by the second engine and three of the carriages. After getting off the rails the engines took opposite directions, one veering to the right the other to the left hand of the line, and the first engine immediately ran into the side of the cutting, where it was overturned, and, probably owing to the safety-valve becoming clogged, the boiler exploded. The sudden stoppage of the engines, which were propelling

the train at a rapid pace, caused a violent concussion of the carriages, three of which were smashed, one of them becoming a complete wreck. Six persons were discovered to have suffered from the concussion. Two of them were found entirely lifeless, the head of one being severed from the body, and the other having died from a complete crushing in of the chest. Two others were so severely injured that one expired in the course of a few minutes, and the other in about a quarter of an hour.

Removal of Sunderland Light-House.—The removal of this lighthouse from the north pier in an entire state to the eastern extremity of the pier, a distance of nearly 500 feet, has been safely and successfully completed. The following is the plan submitted by Mr. Murray, the civil engineer, to the commissioners of the river Wear in May last, when it was under their consideration to pull down and re-erect the lighthouse on its new site:—"The masonry was to be cut through near its foundation, and whole timbers were to be inserted, one after another, through the building, and extending seven feet beyond it. Above and at right angles to them another tier of timber was to be inserted in like manner, so as to make the cradle or base a square of twenty feet; and this cradle was to be supported upon bearers, with about 250 wheels of six inches diameter, and was to traverse on six lines of railway to be laid on the new pier for that purpose. The shaft of the lighthouse was to be tied together with bands, and its eight sides supported with timber braces from the cradle upwards to the cornice. The cradle was to be drawn and pushed forward by powerful screws along the railway above-mentioned, on the principle of Morton's patent slip for the repairing of vessels." The project was approved of, and the necessary arrangements made for carrying it into effect; the only deviation from its plan being, that during the progress of the work a windlass and ropes, worked by thirty men, was substituted for the screws. Not a crack nor appearance of settlement is to be found in the building, which has now only to be firmly established on its new foundation.

6. Overland Mail.—The following telegraphic despatch, containing the summary of the news brought by the Overland Mail was received this day.

"*Malta, Sept.* 30.
"*Marseilles, Oct.* 3.

"The Oriental has arrived this morning at ten, having on board Captain Brown, charged with despatches for the Queen of England. The English forced the advanced posts of Canton on the 23rd or 27th May, and prepared on the instant to attack Canton itself. The Chinese, however, capitulated. They pay 6,000,000 dollars. The Tartar garrison evacuated the city on the 5th of June. The English have again occupied Hong Kong."

This news produced a considerable effect in the city—teas immediately fell 3*d.* per lb., and the funds rose one-eighth per cent.

The Indian papers contained much interesting matter from private correspondents, from which the following have been selected.

In April last, while her Majesty's ship Conway was lying off Whampoa, a party, consisting of Lieutenant Beadon (recently made commander,) Mr. Smith, assistant-surgeon, Mr. Turnour, midshipman, and fourteen men, left her

in a large boat, and proceeded to Macao, where they stayed a few days, and left that place to return to the Conway about noon on Easter Monday; a fine breeze carried them safely over half their distance, when, it being too dark to see the numerous fishing stakes laid down at the mouth of the river, or to discover any of the landmarks, they cast anchor about midnight; at one o'clock A. M., on the 30th, Lieutenant Beadon, feeling the boat ride uneasily, gave orders for the cable to be cut; but, before even this could be done, a heavy squall took her, and she filled head foremost, becoming instantly a wreck; the miserable crew clung on till daylight in spite of a terrific tempest, accompanied by violent thunder and lightning. Several junks passed and avoided them (which, perhaps, is not surprising,) but to their shame be it spoken, an European boat, belonging to the same people at Macao, passed the hapless group with equal apathy. At length, after being washed about for some hours on rafts, which Lieutenant Beadon, almost single-handed, had constructed (for, with the exception of a man and boy, the crew were too panic-stricken to render much assistance in lashing them together) they descried a Chinese fishing junk containing one old man; Lieutenant Beadon forbade any whining supplication, but ordered the men to give three good hearty English cheers; the good old fisherman (who proved himself a Samaritan truly, whatever his creed) waved his hand, and instantly bore down to their assistance, picked up their scattered and exhausted party, and gave them food and covering. Lieutenant Beadon offered him 40 dollars to take them to her Majesty's ship Wellesley (that being the nearest) he did so, carefully concealing them from his own countrymen. They sustained the loss of one man, a carpenter, named Shroushire; he was washed off the deck when too much exhausted to regain his hold, and sank to rise no more. Lieutenant Beadon endeavoured, during fourteen hours of awful and appalling danger, to stimulate the crew to exertion, telling them it was a mockery of God to give themselves up to prayer, without at the same time using the bodily powers and mental faculties he had given them for the preservation of their lives; but immediately they were on board the junk he addressed the men upon the awful warning of the uncertainty of life they had just received, exhorting them to make that the era of the commencement of a new life, by the help of God, and lamenting his own unfitness and unworthiness to offer up a prayer of thanksgiving, earnestly imploring each to offer up one in his own heart. Upon their arrival on board her Majesty's ship Wellesley, they were warmly welcomed by Captain Maitland and officers; the former immediately ordered 80 dollars of the public money to be paid the old Chinaman, in addition to the 40 Lieutenant Beadon had promised from his private purse.

The following is a statement of the late important affairs, drawn up by a caterer for the Chinese public. It is interesting, as it shows the ideas prevalent among the bulk of the people regarding what so recently took place, and is on the whole tolerably correct. The account of matters sent up to court, however, will be widely different from this:—

"On the first day of the present

(4th) moon, during the third watch (Friday, 21st of May, eleven to one midnight,) the great Generals, Yihshan, &c., ordered the officers and soldiers from every encampment to take fire-rafts and fire-ships, and attack the rebellious foreigners lying at anchor in the Taiwongkaou (Macao passage.) The battle lasted till daylight, during which time several boats belonging to the foreign ships were burned, seven devil's imps (foreigners) were taken alive, several tens of them were killed, and a part of the Company's hong was destroyed. The gates of the city were kept most strictly shut, and the people were not allowed to pass out and in.

"On the 2d day (Saturday, May 22,) at ten o'clock, the devil's imps embarked on board a fire-ship (*Nemesis* steamer) and sailed up to Neisheng (near Tsangpoo,) where they made use of fire-arrows (rockets) and great guns, with which they attacked and smashed Neisheng, and burned several tens of carrying vessels.

"On the 3d day (Sunday, May 23) the devils were early off the Fa-tee creek, where they seized and carried off several passage-boats (these were for the conveyance of the troops.) They then commenced a simultaneous attack on the Leipaoutoy, or Shameen fort, the Hoychupaontoy or Dutch folly, and along the side of the river. They used their fire-arrows with which they burned several hundreds of houses, shops, and sheds, belonging to the inhabitants on the banks of the river, on the eastern, southern, and western quarters outside the city walls. The fire lasted uninterruptedly for two days.

"On the 5th day of the moon (Tuesday, May 25) they landed above Neisheng, and marched straight towards the great northern gate, where they attacked and captured the square fort and the round fort; then directing their course to the small northern gate, they burned an encampment.

"On the 6th day (Wednesday, 26th of May,) they attacked and stormed the Tangpoutoy (French folly,) and using their fire-arrows, they burned all the custom houses and chop-houses along the banks of the river. Thus, whether by land or by water, the devil's imps took possession of all our strong places. Towards evening the hong merchants and linguists begged his worship, Yu, the Kwangchowfo, to meet Elliot and treat for peace. Elliot wanted them to pay the price of the opium, 6,000,000 dollars, and limited seven days, within which the full amount was to be paid, when his war-ships should afterwards leave the Bocca Tigris; and he also insisted upon the island of Hongkong. Just now the great General (Yihshan) has consented to the payment of the stipulated sum of 6,000,000; and on the 7th day (Thursday, 27th of May,) he delivered 1,000,000 to account. Regarding the question of the territory, we must wait till he has made a due memorial to the Emperor on the subject, and got his commands, when he will be able finally to decide.

"Thus, on the 8th day (Friday, 28th of May,) the city gates were again opened, and people allowed to pass out and in."

7. Lamentable Occurrence at Sheerness, Alleged Murder of a Seaman by a Warrant Officer.—This being pay-day, several boats came ashore from the different ships in the river. Amongst

them was the crew of the Wellington, under the command of Mr. Ward, the warrant-officer. There were with them three women. There were two other seamen, named Kingdom, and a boy, besides Maxwell, the unfortunate deceased. After the receipt of their pay, they all proceeded to the Fountain Tavern, situate near the pier. They remained drinking until after dark, with the exception of Maxwell and the boy. On leaving the inn at a late hour, they were scarcely able to walk to the ship's boat, then lying off the pier. They managed to crawl into it, and it was put off, Ward taking charge of the tiller; Maxwell, Kingdom, Sheppard, and the boy manned the oars. The boat, instead of being steered down the river towards the spot where the Wellington was moored, was steered across, and ran ashore. Maxwell, finding this was the case, and being sober, offered to take charge of the tiller, saying, "Master, you had better let me steer for you." Ward, with an oath, replied, "If you think you can steer better than me, you had better come and do it." Maxwell got up for the purpose of going to the tiller, when the boat ran aground. Ward swore at Maxwell, declaring, that it would not have happened if he had not made himself so officious. Maxwell made some reply, when Ward snatched up one of the stretchers of the boat, and struck Maxwell a violent blow with it on the face, which knocked him down. Maxwell got up, and a scuffle ensued, in the midst of which Ward pulled out a large clasp-knife, and rushing towards him swore, "he would rip his b——y guts up." Maxwell, to avoid the blow, sprang towards the gunwale of the boat, and perceiving Ward following him, jumped overboard, and was seen no more. He was unable to swim. The statements of the crew differ materially, but the boy declares that Maxwell was knocked overboard by the blow on the head by the stretcher, whilst others say he was swept away by the sea on jumping over. The boy, however, was the only one sober, except the deceased. Immediately on the occurrence being known by Lieutenant Gordon, on board the Wellington, which was not until after midnight, Ward was arrested, and at once escorted by a party of royal marines, and placed in custody on board the Ocean line-of-battle ship, lying off the dockyard.

7. The Insurrection at Madrid.—The following telegraphic despatch, received at Paris, announced the commencement and failure of the attempt to carry off the young Queen.

"*The French Chargé d'Affaires to the Minister of Foreign Affairs.*

"*Madrid, Oct.* 8.

"An attempt at insurrection, which it was said was connected with a plot to carry off the Queen and the Infanta, took place here last night. It was occasioned by the cashiering eighty-eight officers of the Royal Guard, and by the intention attributed to the Government of disarming the Guard. A contest took place in the palace between the Guard and the Halberdiers, supported by some battalions of the garrison. The Government had the advantage. The Queen and the Infanta are well."

The following particulars are from the private correspondence of the London journals:—"The cen-

tral door opening from the head of the grand staircase into the first reception-room, which the eighteen Albarderos converted into a fortress, is pierced with more holes than ever I saw in a target on a field day. The marble mouldings and columns all lie in ruin. The outer folding-doors of wood were fairly shattered and beaten in by the discharges against it from below. The Albarderos did not attempt to shut it again, but remained at their posts within, only screened from sight by a second door of framed canvass, through which the assailants' balls passed freely without beating it down like the wooden doors in front. Here they were dared to enter by the brave fellows within, but none would run the hazard to pass the screen. They diverged to the right and left, seeking other entrances, undefended by the little garrison, and five side-doors pierced by scores of bullets present the records of their abortive efforts. Apparently their hearts were not given to the desperate undertaking, and after above five hours' firing in through doors and windows, they abandoned their enterprise as hopeless; one portion escaping with their chiefs, and the remainder quietly resting on their arms for five hours more, till daylight appeared, and Espartero arrived with an overwhelming force to take them prisoners. In fact, they never effected an entrance to a single room on the first floor, although possessed of the patio and all the passages below, leading to back staircases and dozens of private doors, none of which could have resisted the blows of the butt of a musket, or the effect of a shot through the keyhole; but (as I said before) their hearts were not in the bad work, and they could not succeed. It is now known that General Concha prevailed on them to follow him to the Palace, by a deceitful and impassioned address at the moment, calling on them to aid him to rescue their Queen from the hands of men who were about to assassinate her! This was an appeal which a loyal warm-hearted Spanish soldier could not resist, especially when urged by his general; and all (except the officers and sergeants, who knew the man) followed him with *vivas* from their barrack to the Palace, where, after the steadfast repulse given them by the Albarderos, their eyes were opened! They saw themselves deserted by the traitor chief, who had made tools of them for the desperate occasion—hemmed in by the Nacionales and troops of the line without; and finally, whether they fled from, or waited on the scene of their defeat, obliged to surrender at discretion."

9. Case of Poisoning.—An Inquest, which had been twice previously adjourned, was resumed at nine o'clock in the forenoon, before Mr. Eagles, one of the coroners for the county of Bedford, and an intelligent jury, at Ridgmont-house, the residence of Mr. Crouch, an opulent farmer, of Ridgmont, near Ampthill, Bedfordshire, to investigate the circumstances connected with the death of Miss Mary Anne Crouch, aged nineteen, his niece, and daughter of Mr. William Crouch, of Chalfont. The deceased, together with the whole family, had been poisoned, and suspicion alighting on Ann Lee, the cook in the service of Mr. Crouch, who was about to leave her situation, and a male servant named George Peppott, they were immediately, on the cir-

cumstances of the case becoming known, apprehended.

The accused persons, Ann Lee and George Peppott, were present in custody during the proceedings. The evidence was read over by the coroner, from which it appears that the circumstances of the case were as follows:—

On the morning of Saturday, the 25th of September, the cousin of deceased, a young lady named Dover, who was on a visit to Mr. Crouch's family at Ridgmont, prepared to make some cakes, as the deceased and other friends were expected also on the following day. The batter being prepared, Miss Dover recollected that she required some yeast, but being unable to procure any she desired the cook, Ann Lee, to let her have a little soda, which would answer the purpose. The accused, Lee, replied that there was none in the house, but she would send for some. During the absence of a messenger for that purpose the prisoner Lee came to Miss Dover, and said she had forgotten she had some ready for use in the spice-box. She went and fetched it, and handed it to Miss Dover, who proceeded to mix it with the batter. The cakes were then placed in tins and baked, and no further notice taken. On the same day the family dined off rump steaks, partridges, and sage puddings, which were partaken of by the whole of them. During dinner the rump steaks were noticed to have a peculiar taste, and to be very highly peppered. They were at first too much done for Miss Dover, and an order was given to the cook to send up another steak more underdone; that, however, had also the same peculiar taste. Shortly after dinner the whole of the family were taken very ill, and vomited violently. Medical aid, however, being promptly procured, emetics were administered, and they towards evening got much better. On the following day (Sunday) the deceased, accompanied by a friend, Miss Ann Gaslee, arrived on a visit from Chalfont. They partook of wine and ate a considerable quantity of the cakes which Miss Dover had made. Miss Gaslee, however, ate the most, and shortly after was seized with violent fits of vomiting, and brought a great deal off her stomach. The deceased, however, was unable to do so, and, notwithstanding medical aid was called in, she died on the day following. A *post mortem* examination of the body was subsequently made, and the contents of the deceased's stomach subjected to chemical analysation, and it was discovered that they were impregnated with a large quantity of arsenic. The remainder of the steaks had been secured by Mr. Crouch immediately after the discovery of the illness of his family on the Saturday, and the spice and pepper-box being seized, they were each severally subjected also to the test of analyzation, as was also the soda and the cakes, the result of which was that the whole were discovered to have been impregnated with the same deadly poison, which the medical men declared to have been the cause of the deceased's death.

Mr. Roberts, a grocer of Ampthill, proved that the prisoner Peppott a few days before the occurrence purchased a quantity of arsenic of him at his shop, saying it was for his master, Mr. Crouch, to destroy the rats with.

The Coroner asked the accused parties if they wished to say any-

thing in the matter. They both declared their innocence, and Peppott stated that he dined on the remainder of the partridges after they came from the dining-room on the Saturday, and Lee (the cook) said she ate some of the steaks, and neither of them felt any ill effects from having done so. They could not account for the soda and pepper being mixed with arsenic. Peppott declared that he bought the arsenic of Mr. Roberts to kill rats, and nothing else; that he never put it in the cupboard where the spice or pepper was kept, and that it was all used for the purpose he stated.

The jury then retired, and at a late hour returned the following verdict:—"That the deceased, Miss Mary Ann Crouch, on the 27th of September last, died from the effects of poison through eating a cake in which soda was used instead of yeast, which soda contained arsenic wilfully and maliciously put into the same by some person or persons unknown, for the purpose of destroying life."

12. Alarming Accident at the Victoria Theatre. — On opening the doors of the Victoria Theatre, at six o'clock in the evening, a most alarming occurrence took place. It seems, that at the opening of the doors a great rush was made up the gallery stairs, in order, as usual, to obtain the best seats. This rush increased as the pay-place was approached, and at that part it became so great that the flight of stairs gave way with a dreadful crash. The alarm became general, and while some endeavoured to proceed onward, others tried to make their escape out of the theatre. The screaming of the women was frightful. Shawls, shoes, hats, and coats were torn off, and were lying in a heap at the theatre for the purpose of being owned. As soon as possible those who had been injured were taken to the surgeons about the theatre. To one shop fifteen persons were taken, and amongst them was a sawyer, named Clayton, residing in Boar-yard, Holborn. So severe were the injuries this poor fellow received internally, that nearly two hours elapsed before he was brought to his senses. For some time he was considered dead. A young woman named Mary Field, living in Pitt-street, Tottenham-court-road, was also severely injured about the legs; and a little boy about twelve years of age, living in Potter's yard, Waterloo-road, had a rib broken. The other medical gentlemen had similar cases; but fortunately no life was lost. The accident appears to have been occasioned by the supporters of the stairs giving way from being in a rotten state.

14. Dreadful Explosion of a Steam Boiler.—Seven Persons killed.—A most melancholy accident occurred at Manchester, at a very early hour, occasioned by the bursting of the boiler of a steam-engine, by which no less than seven workmen were instantaneously killed, and many others severely wounded. It appears that the workmen employed by Messrs. John Elce and Co., machine and tool makers, of Jersey-street. Ancoats, Manchester, repaired, as usual, to their labour at an early hour, six o'clock, and, as they were waiting for the arrival of the remainder of the men, they assembled in the engine-room, which, of course, is much warmer than any other part of the building. The firm usually employ from fifty to sixty men, but on the morn-

ing of the accident not more than half that number had arrived when the occurrence took place. The engine employed is of six-horse power, and the boiler attached is equal to ten-horse power. The engineer arrived a few minutes before six o'clock, and is supposed to have lighted the fire as usual, and supplied the boiler with the usual quantity of water, and was conversing with the mechanics who had arrived, before he fully set the engine to work. Suddenly a crash was heard, and was instantly followed by an explosion, which stretched twelve of the men on the floor, knocked several of the others down, destroyed the whole of the machinery, and completely blew away one end of the building, besides shattering every window frame to atoms and displacing the whole of the roof of the building. As soon as the effect of the shock had subsided, those of the men who were uninjured moved forward to the scene of destruction, and here a most horrible and heart-rending spectacle was to be seen. The engineer was found with his head severed from his body; the workmen were dashed in every direction, and scarcely the features of one near the engine could be recognized. On a further search four others were found in a most mutilated state, quite dead, some of them with their heads literally blown into a mash, others without limbs, and many with the lower extremities of the body completely laid open, so that it would seem the various parts of the engine had struck them either in a sitting posture or in the act of rising to effect their escape.

15. Police.—A young countryman, named George Howe, was brought before the Lord Mayor, having given himself up to a policeman on the preceding day on a very serious self-accusation. The policeman stated that the prisoner walked up to him at three o'clock Thursday, and said, "I have done something wrong, policeman, and I wish you to take me into custody." Witness asked him what he meant, and he replied, "You know what Blakesley did. I have done something like that—I have murdered my mother." Witness did not believe there was any foundation for the statement, and wanted the prisoner to go home, but he insisted upon being taken to the station-house. The Lord Mayor.—Well, prisoner, where is your mother, whom you say you have murdered? Prisoner.—I was drunk, my Lord; I never murdered any one. The policeman said it was evident the prisoner had been drinking. The Lord Mayor (to the prisoner).—Where is your mother? Prisoner.—At Walthamstow. I live with her; and there she is to be found. The Lord Mayor.—When did you see her last? Prisoner.—On Saturday last. The Lord Mayor.—Well, you have given yourself a very bad character, and you must bring forward somebody to remove the impression caused by your own description before I part with you. Prisoner.—I assure you, my Lord, it was nothing but drunkenness. The Lord Mayor.—How am I to know that drunkenness is the only offence you have committed? No, no; you must bring forward some more credible person. If you suffer any inconvenience and are an innocent man you have to blame yourself for what you undergo. Policeman.—He told me his mind was very uneasy on the subject, and it was his anxious wish to be

taken to the station-house. Prisoner.—I do assure you, my Lord, that my mother is quite well, and I never thought of such a thing. It was nothing but the effect of drinking. The Lord Mayor.—When you get somebody to attend and prove to us that you have been accusing yourself wrongfully you shall shall be set at liberty; but I cannot think of letting you go merely because you now think proper to deny your first statement. The prisoner, who appeared to be greatly annoyed at this unexpected result of his drunken frolic, and who endeavoured to prevail upon his Lordship to consider him as innocent of his mother's death, in a very earnest appeal, was then removed from the bar. Subsequently a gentleman, who resides in the neighbourhood of the Mansion-house, and was acquainted with the prisoner and his family, waited upon the Lord Mayor, and stated that the foolish fellow became a great deal more foolish by "putting the enemy into his mouth," and that he was a young man of very good character. The Lord Mayor thought another night, under a good strong lock and key, would be of service to the prisoner's memory, and prevent him from giving unnecessary trouble to the police.

Execution of General Leon. — "October 15. Quarter-past two, P.M.—General Leon is shot! At one o'clock to-day he was taken in a coach from the Convent of St. Thomas, in which he had been confined (the barrack of the National Militia of Madrid), and conducted outside the gate of Toledo (the usual place of military execution, beyond that of Bilboa, being too far from his prison), where, at forty-two minutes past one, he was shot by a platoon. A strong force lined the great street of Toledo, and prevented the populace passing through the gate to witness the execution. However, a gentleman who had been on the ground from an early hour, and who witnessed the scene; declared that he died like a soldier. He wore his uniform as a cavalry officer, and addressed his guards in a firm voice, nearly to this effect:—'*Camarades*, I am accused of being a coward and a traitor! I am neither. I have served Spain well, and I do not regret it. *Viva Isabella Segunda! Viva la libertad! Adios Camarades!*' He embraced his Advocate-General, Roncali, and the Fiscal, who presided at the execution of the sentence, and then turning to the soldiers, gave the signal to fire. One discharge sufficed, and he fell dead instantly. The Fiscal took charge of the body, and the mass of the troops of the line and Nacionales returned into the city. Diego Leon was the best cavalry officer which the constitutional army possessed during the last war. He acquired his promotion and his title of Count of Belascoain on the field of battle. Lower Navarre and Arragon were the principal theatres of his exploits, and in all the battles fought in those provinces he was distinguished for his clear judgment and impetuous valour. A bold and brilliant cavalry officer, and still young (he was only thirty-seven years of age), Diego was of so noble a nature that he was beloved both by officers and soldiers, a circumstance the more extraordinary, as the Spanish privates seldom attach themselves to their officers. Diego Leon was known to the army by the name of the Spanish Murat,

on account of his bravery and his rich and dazzling uniform. He wore, through choice, the hussar uniform of the Princess's Regiment, even when he commanded the Royal Guard. His shako was always ornamented with a streamer, by which he was easily recognized on the field of battle. Espartero was intimately connected with him until the events which occurred at Barcelona last year. From that period all intimacy ceased between them, and the subsequent events still further separated those men, so different in feeling and opinions. Maria Christina, who justly appreciated Diego Leon's devotedness, had recourse to him when abandoned by Espartero; she endeavoured at Valencia to allay the storm, and form her last Constitutional ministry. She appointed him Captain-General of Madrid. Diego repaired there forthwith, against Espartero's will, who wished to keep him at Barcelona, but he only arrived at his post to witness the defection of the troops and the downfall of the Queen Regent's authority. He remained at Madrid, where Espartero authorized him to reside, in order the better to observe his movements. The details of his arrest are not known, but his tragical death will no doubt deeply afflict his brothers-in-arms, who so long admired his noble disposition and his bravery at the moment of action."

Death of Munagorri.—"San Sebastian, October 15. — The revolutionary expeditions of Munagorri are for ever at an end. The unfortunate man was shot yesterday about half-past two o'clock, near the iron foundry of Zumarista, between Oyarzun and Lesaca. He had engaged with about fifteen or sixteen followers to conduct Carrequiri, who was proceeding to France, across the mountains, and after having seen him safely enter the French territory, he was in the act of making his way back, when the well-known Elorri got information of the direction he had taken. In order to make himself more sure of his prey, Elorri pretended that he came to join the party of Munagorri, and immediately shouted out, '*Viva la Reina Governadora, y vivan los fueros!*' The ancient Chapelgorri soon came up with the person he was in search of, who was, at the moment, in company with ten or twelve of his partisans, three or four of whom only were armed. The moment Munagorri caught a sight of this new convert to Fuerism, he guessed that the object of his visit was not friendly—he knew that his doom was sealed, and he saw that his only safety was in flight. Those who had no weapons immediately fled, and the few who possessed arms were soon deprived of them, and made prisoners by the Chapelgorris. Munagorri himself was mounted, and on seeing Elorri, he clapped spurs to his horse, and made an attempt to escape. But his vigilant enemy was not thus to be baffled. One of his followers caught hold of the reins, and clung to them until he was dragged some paces onward. Elorri called out to him several times to surrender, but Munagorri still tried to escape with all the desperation of a man who knew that he had no mercy to expect. Elorri took his aim, fired, and wounded the horse on which the other rode. The animal reared, and then fell heavily, with the rider under. The whole troop then delivered

their fire upon the horse and its rider, and it was all over. They rushed to the spot, and lifted up the bleeding corpse of their enemy. He was pierced by no less than seven balls."

18. GALES AND HIGH TIDE.—The very strong and north-easterly gales which for several days had prevailed in and near London, did much damage to buildings and the shipping in the river. This was accompanied by a calamity greater, in its nature, than had ever before been experienced. On Monday the tide ebbed so low that the river became fordable in many parts, and the steam-boats were compelled to suspend their voyages for want of sufficient depth of water. At half-past one P.M. the tide rose with unprecedented rapidity, and at three P.M. had risen far above its usual level: nearly the whole of Rotherhithe, Wapping, Shadwell, and other parts adjacent to the river were completely flooded; the Tower seemed to stand in the midst of the river: the quays at the Custom-house and the Docks, the wharfs, and storehouses, were completely under water. The Borough, and Lambeth, the low streets in Westminster, and the floor of Westminster Hall were equally inundated. At Stroud, Rochester, Greenwich, Chelsea, and Battersea, the floods were equally excessive. Immense damage was suffered by the destruction of goods and furniture, which were seen floating in every direction. Fortunately no lives were lost.

— MELANCHOLY ACCIDENT AT PORTSMOUTH.—Inquests were held before the coroner for the borough of Portsmouth, on view of the body of Mr. Charles Davers Rushbrooke, an ensign in her Majesty's 23d regiment of foot, aged nineteen years and three months, and T. Williams, a lance-corporal in the same regiment, aged twenty-three years, who were drowned in the North Camber, in her Majesty's dockyard, on the preceding night. It appeared by the evidence on the inquiry, that the deceased ensign was the officer on duty on the Sunday night, and with the corporal, was going his round between eleven and twelve o'clock to inspect the sentinels on their guards. They had left the detached guard near the Camber at the above time, when, shortly after, a cry for assistance was heard, but the night being so tempestuous it could not be told whence it came. The police were alarmed, and information immediately given to the detached guard. The force of the police were mustered, when none of them were missing, as were also the guard, when it was found that the officer and corporal were absent. The drags were procured by the police, and between one and two o'clock on the following morning the bodies were found and conveyed to the guard-room. The fatal and lamentable accident must have happened within a few moments after leaving the guard-house, as the watch in the pocket of Mr. Rushbrooke stopped at that time. The jury very properly expressed their strong sense of indignant feeling that the lives, not only of the military but the police, should be risked for the want of some protection round the different docks and wharfs in the yard, and returned their verdicts of "Accidentally drowned."

19. ENCROACHMENT OF THE SEA AT DOVER.—During several days the very boisterous weather which all along the south-eastern coast

has more or less been detrimental to the shipping interest, had done considerable damage at Dover, carrying away an immense quantity of beach, and undermining a number of boat-houses and other small buildings which had for a number of years past bid defiance to the fury of the waves. In the bay, which to a considerable extent was sheltered from the wind and tide by the projection of the pier, several boat-houses opposite the Royal York Hotel have been washed down. For several days past, during the time of high water, the waves have come rolling into the bay in such awful grandeur as is rarely witnessed on this coast, carrying back with them the shingle to so great an extent that the sea now washes in ten or fifteen feet nearer the Marine-parade and Waterloo-crescent than it formerly did. The greatest destruction of property, however, has been to the westward of the Stonehead. It is supposed that the cause of this extraordinary circumstance is, that the enormous fall of chalk at the Round Down Cliff, about twelve months since, had stopped the progress of the shingle beyond it, in travelling to the eastward, as it used to do. But some, who have paid considerable attention to the subject, conclude that it arises from the large quantities of beach used in the construction of the sea-wall between this town and Folkestone. Bull-rock, on which Archcliff fort is built, the platform leading to the tunnel of the South Eastern railway under the Shakspeare cliff, and the cliffs further along the coast are also much undermined.

21. Dreadful Fire.—Total Destruction of Derby Town-Hall.—About two o'clock in the morning an alarm of fire was given by the policeman on duty at the town-hall, who had observed a smell of burning, and afterwards, on searching, found turpentine dropping into the avenue from the burning deals, which could then be discovered through a small aperture. No time was lost in spreading the intelligence that the Town-hall was in flames, and a large number of the inhabitants residing in the neighbourhood immediately assembled. Great delay was occasioned by the engines, which are usually kept at the Town-hall, having been removed to the Morledge, in consequence of the repairs which were taking place at the Town-hall. At length several of the engines were placed at the front, and others at the back of the building, and continued to play as long and as frequently as they could obtain supplies of water, but without the slightest effect. About four o'clock the roof began to give way, and the flames blazed forth with terrific violence. The sky for miles round presented a lurid glare; and the pale and anxious countenances of the spectators were as visible as if it had been noonday. At five o'clock the whole of the roof was destroyed, and the ceiling of the lofty Ionic portico gave way, falling with a tremendous crash upon the rustic basement. At six o'clock the materials became exhausted, and as daylight approached nothing but the bare walls were to be seen. All the town records have been destroyed by the flames as well as the Revising barristers documents, but the Chamberlain's account books are preserved. No loss of life or limb has attended the catastophe.

The Manner of Dissolving Parliament in the Reign of Queen Elizabeth.—The follow-

ing curious piece of historical information is derived from a rare work, entitled "Records of Parliament," printed in folio, 1602. Ann. 27 Reg. Eliz., Sept, 14, 1586:—The Lorde Chiefe Justice of England, the Lorde Chiefe Justice of the Common Pleas, the Lorde Chiefe Baron of the Exchequer, and the Maister of the Rolles, beyng sente down from the Lordes to the Commons, the sayd Lorde Chiefe Baron having the greate seale of England, declared that her Majestie havyng givin commission to dissolve the present Parliament unto the 4th day of Feb. following, and soe whereupon it was by warrant adjourned untill the day appoynted. Which done, Mr. Vice-Chamberlain, standing up, and putting the House in remembrance of Her Majesties most princelie and lovyng kindnesses, signified unto the House in the messages and declarations of her Highnesses thankfull acceptations of the dutifull cares and travails of the House in the service of Her Majestie and the Realme, moved the House that we doe altogether joyn our hearts and minds together in humble and earnest prayer unto Almighty God for the long continuance of Her Majesties reign and preservation. He then sayd he had a paper, in writing, by an honest, godly, and learned man; yet, albeit it was not very well written, he would read it as well as he could; if it pleased them to say after him, as he should begin and say before them; which being assented to by the whole House, everie one kneeling upon his knees, the sayd Mr. Vice Chamberlayne began the sayd prayer, which being ended, everie one departed untill the sayd daie of adjournment."

27. Total Destruction of Kinmel Hall by Fire.—Soon after ten o'clock at night it was discovered that Lady Dinorben's dressing-room in Kinmel Hall, near St. Asaph, the seat of Lord Dinorben, was on fire, and that the flames had already gained some height. Immediately after the discovery an alarm was given throughout the mansion; happily none of the domestics had retired to rest, so that they all directed their efforts to quench the flames, but, unfortunately, without effect. The fire had obtained such an ascendancy as to baffle all the endeavours of the inmates; and from there not being any fire-engines for many miles round, nothing could be done to arrest the fury of the fire, which continued its devastating ravages until five next morning, leaving the superb mansion and its costly furniture a heap of ashes. The greater part of the valuable library and MSS. were rescued at an early stage of the fire.

— Police.—Hatton-garden.—Charles Wilcox, a young man of gentlemanly appearance and manners, who described himself as having been a student at Trinity College, Cambridge, was placed at the bar, before Mr. Greenwood, for final examination, charged by Mr. Antonio Panizzi, keeper of the printed books at the British Museum, with having stolen several books from the reading-room of that establishment, under the following circumstances:—Mr. Panizzi having been sworn, stated that the prisoner was in the habit of attending the reading-room at the British Museum, with a regular admission ticket, and having reason to suspect that he purloined the books, witness set a person to watch his proceedings. On Saturday afternoon last,

at a little after four o'clock, when the readers were about leaving the room, witness was called by one of the attendants, who informed him that the prisoner was going away. Witness addressed him, and said he wished to speak with him, requesting him to accompany him into the library. The prisoner had three standard novels handed to him, and only returned two of them. He inquired where the other volume was? The prisoner replied that he did not know, but perhaps it had been left upon the table, and he made a movement towards the door to leave, but witness stood before him, and said, "No, we must find the book first." Witness then sent one of the attendants to look after it, but he could not find it. The prisoner seemed astonished, and said, "I hope you do not suspect me." Witness said, "It was very awkward, but several other volumes had been missed since he had had them." He denied all knowledge of them. Witness detained him, and sent for Sir Henry Ellis, the principal librarian, and also for a policeman. The prisoner again denied all knowledge of the books. On the arrival of Sir Henry Ellis, witness informed him that the prisoner had had three volumes of the Standard Novels, and only returned two. The prisoner again asked, "If they suspected him?" Witness replied, "Yes; it is of no use, you have got a book in your pocket now, and the policeman will find it there when he comes." The prisoner then expressed a wish to speak to Sir Henry Ellis and witness in private, which they declined, and he then put his hand into his pocket and produced the volume of *Lionel Lincoln* which had been missing; he gave the prisoner into the custody of an officer. He valued the book at 3*s.* 6*d.*, and said it was the property of the trustees of the British Museum. Mr. Greenwood asked the prisoner whether he wished to say anything to the charge? Prisoner.—I placed the book in my pocket with the intention of taking it away with me, but with no intention of ultimately detaining it. I would have replaced it in a few days. He was fully committed for trial on this charge. The prisoner was further charged with having stolen many other books, which were clearly traced to him.

28. Calamitous Accident at Blyth.—Loss of Ten Lives.—The *Sibsons*, a vessel laden with timber from Archangel, and belonging to Blyth, made her appearance in the offing of the latter place in the morning. It had been previously arranged, that the new life-boat belonging to Blyth should be tried on that day; and Mr. Joseph Hodgson, the owner of the *Sibsons*, offered the boat's crew a gratuity of 3*l.* if they would convey an instruction to the captain of the vessel to proceed to London. The sea ran very high at the time, and it was found difficult to induce the men to undertake the commission, but they ultimately consented. The boat was thereupon launched upon this perilous enterprise, when nine men stepped on board, Mr. Hodgson himself, accompanied by Mr. Henry Debord, shipowner, following. The command of the boat was taken by Mr. Robinson Burn (a brave fellow, who had on many a previous occasion risked his own life in saving others). When they had proceeded but a short distance from the shore, a heavy sea struck

the boat, lifting her on end, and then completely capsizing her. The spectators anxiously expected her righting again, but she remained bottom upwards; and part of the crew were seen clinging to the bottom of the boat. The boat drifted ashore about a mile south of the harbour, accompanied by four of the crew, apparently lifeless. A great multitude of the inhabitants had by that time assembled on the beach to witness the calamitous spectacle, and several, at their own imminent peril, rushed among the breakers to rescue the sufferers who clung to the boat as they approached the shore. The persons got out of the sea were Mr. Joseph Hodgson, and Henry Kinch, a seaman, who have recovered, and are now likely to do well; Mr. Henry Debord, who was nearly dead, and died soon afterwards, all exertions to preserve his life having been unsuccessful; and Mr. Burn, who was quite dead. The boat having been turned over, the body of John Heppell was found, also dead.

31. Awful Conflagration at the Tower of London.—The public excitement caused by the recent destruction of so many of our national buildings had scarcely subsided, when it was aroused to a fearful height, by the news that a large part of the Tower of London had fallen a prey to fire, and that many proud monuments of national glory had perished. The first outbreak of the fire took place precisely at half-past ten o'clock, at which time the attention of the sentinel on duty on the terrace, near the Jewel-office, was attracted to what appeared to be a glimmering light under what is termed "the Round Table," or cupola of the Round or Bowyer Tower, which is detached from the Armoury on the north side, facing the Trinity-house, and eastward to the grand staircase leading to the Small Armoury. In the first instance the sentinel took no notice of it, but shortly after observing that it became stronger, and being convinced that something was wrong, he fired his musket to give an alarm, and in a few minutes the whole of the officers turned out, and the entire battalion of Scots Fusileer Guards, quartered in the "Old Mill Barracks," mustered to the sound of the rappel. The flames in a few minutes began to burst forth from the windows of the Round Tower with fearful violence. The instant the drums beat the alarm, the whole of the troops, several hundred in number, were seen rushing out of their quarters in all directions. Colonel Auckland Eden, the officer commanding, lost no time in despatching information to Major Elrington, the acting Governor of the Tower, in the absence of Colonel Gurwood, the Deputy Lieutenant. He then directed the soldiers to turn out the Tower engines (nine in number) which was immediately accomplished, and they were brought to the spot, and the glare of the flames having announced the disaster over the metropolis, the engines of the Fire Brigade hurried to the spot from every quarter. Unfortunately the tide was out, and the tanks under the Tower afforded but an inadequate supply, while the great height of the Round Tower rendered that little of no avail. By eleven o'clock the destruction of the Round Tower was complete, and for a short time great hopes existed that danger was at an end, but subsequently a

cry was raised that it had reached the Armoury roof nearest adjoining it. This was found to be too true, and although every effort that human power could devise was resorted to in order to save this magnificent and stupendous structure, or in some measure check the progress of the flames, they proceeded with a fury which baffled exertions almost superhuman, and which ended in its total destruction. On finding this was the case a general rush was made by the soldiery in order to secure as many of the arms and other valuables as possible, and two of the Brigade engines having again obtained a supply of water through the medium of others stationed near the river, their engineers carried the branches into the great Armoury-room, and got to work, managing to retain their position for nearly half-an-hour, playing upon the ceiling wherever the fire made its appearance; but a large quantity giving way, the whole of the interior between the roof and the ceiling was found to be on fire. This made them quit their position and make their escape by the grand staircase, and in an instant after, the entire ceiling of the spacious hall gave way and filled it with smoke and flame. By this time, twenty minutes past eleven o'clock, the flames were seen issuing from all parts of the roof of the building, and subsequently reaching to the Clock Tower in the centre. The scene which presented itself was terrible and awfully magnificent. The flames, which shot up to a tremendous height, threw a fearful glare over the whole metropolis, and the crowds which flocked in alarm or curiosity to the Tower, added in no small degree to the confusion—so great was the excitement, that they even seemed likely *to storm* the outer barriers of the fortress; and even after the arrival of several hundred of the police force, and 400 Fusileer Guards, severe contests took place at the gates. The floating engines now arrived, and moored off the Traitor's Gate, but as they had 700 feet of hose to lay down, their assistance was of little avail, save by their supplying water to the engines nearer the site of conflagration. By half-past twelve o'clock the conflagration had reached to a frightful magnitude. It had extended through the flooring of the Small Armoury into the lower compartment, occupied by the train of artillery, and those splendid trophies of England's glory so well known to the public. From this period the flames continued to increase with such fearful violence, that apprehensions were entertained that every part of the Tower would be overwhelmed and become a victim to them. Fire was to be seen gushing forth from every window of the building, which had all the appearance of the crater of some volcano. The heat became so intense, that it was utterly impossible for a human being to stand on the broad walk between the Armoury and the White Tower, and before it was possible to remove the engines, some of them were burnt very considerably. At one o'clock the whole of the Clock Tower, which had stood tottering for some time, together with a great mass of the roof, and some portion of the upper heavy stone work of the building, fell in with a tremendous crash, resembling the firing of heavy artillery. Immediately after this, the flames for some time increased their height,

but assumed a livid hue of a most unearthly description, and evidently blew over in the direction of the White Tower, for which great fears were now entertained. All attentions were now directed towards the White Tower and the Church of St. Peter. The leaden water-pipes, running from the roof of the former, were melted, and the frames of the windows had already ignited, but a plentiful supply of water having been by this time obtained, the exertions of the firemen, soldiers, &c., were directed to it, and by keeping copious streams of water constantly playing upon it, and by the immense thickness of its walls, it was preserved. The Church is also indebted to the praiseworthy exertions of the officers of the garrison and the soldiers under their command, for its preservation. The Jewel Tower next attracted the attention of the authorities: the wind having somewhat shifted, blew the flames in that direction, and its destruction appeared inevitable. On this circumstance reaching the ears of the Governor, Major Elrington, he instantly directed the warders to break it open at all risks, secure the regalia and Crown jewels, and bring them at once to him. To effect this crowbars were found to be indispensable. Mr. Swift, the master of the Jewel Tower, who was sent for, was found to be in possession of the key of the outer room only, the other keys to those valuables being in the possession of the Lord Chamberlain. On gaining an entrance much further difficulty presented itself in the removal of the strong iron railing with which the diamonds, &c., were surrounded. After a lapse of about twenty minutes it was effected, and a most extraordinary scene presented itself, the warders carrying crowns, sceptres, and other valuables of royalty, between groups of soldiers, police, firemen, and others, from the Jewel Tower to the Governor's residence, which is situate at the very further extremity of the Green. None, however, sustained the slightest injury, and by dint of most prompt exertion the Jewel Tower itself was saved. At two o'clock the fire was evidently at its greatest altitude, and a rumour spread abroad that a large magazine was attached to the Armoury, and great fears were now entertained that a general explosion would take place. At times it appeared that such was really the case, for occasionally the flames would vomit forth burning embers of immense magnitude, again subside, and again repeat their dreadful thunders. This continued until about a quarter to three o'clock, when the fire showed some symptoms of abating its fury, and began to expend itself so far as to enable the firemen, together with the engines, to re-approach the ruins. Prior, however, to this taking place, a new cause of alarm arose in the Map-office, which contains some very valuable maps, records, &c., catching fire. That, however, was soon got under, and all the property placed in safety. Attention was now exclusively directed towards the nearest buildings, upon which streams of water were incessantly poured. These precautions were effectual, and the fire was confined to the immense detached portion in which it had broken out, the whole of which the next morning presented an immense mass of living fire. For several days subsequent, the remains of the Armoury were a heap of

smouldering ruins, from which flames were observed to burst; the engines which remained in attendance were immediately brought to play upon these parts, and when the fire seemed to be entirely subdued, the mass was left to cool; but for a long period volumes of smoke and steam curled over the heated ruins: these presented a grand but fearful spectacle; the shell of the buildings was left standing, but riven in every direction by the heat and the water, and large masses from time to time separated and fell with a fearful crash: one of these, a large piece of stone carving over the grand entrance, unfortunately struck one of the firemen, who was killed on the spot. There seems no reason to doubt that the fire was accidental; but whether it arose from the armourers' forge in the Round Tower, or from the overheating of the flues of the Arnot stoves in the same building, could not be ascertained. To give an account of the stores and trophies destroyed would be but to repeat the Guide for strangers who visit the Tower, *all* were destroyed, except the beautiful cannon taken from Malta by the French in 1798, and sent to the French Directory, by Bonaparte, in *La Sensible*, in which it was captured by Captain Foote, of the *Seahorse*; the sword and sash of the Duke of York; and such of the small arms as were hastily carried away by the soldiers. The excitement created through the country by this calamity was immense: the Tower was besieged by crowds anxious to catch even the most distant view of the ruins. Admittance was refused to all but those who had tickets from the proper authorities, and these were issued in thousands to the nobility, gentry, and officers, who poured in one incessant throng through the esplanade. Immediate steps were taken by Government to investigate the origin of the fire and the conduct of the officers and servants in the Tower.

NOVEMBER.

2. Covent-Garden Theatre. —It having been announced that another of the gifted family of Kemble was to make her *début* this evening, a most crowded audience collected in the Theatre Royal Covent Garden — this was Miss Adelaide Kemble, a younger daughter of Mr. Charles Kemble, and sister to Miss Fanny Kemble, now Mrs. Butler. The opera chosen for her first appearance was Donizetti's *Norma*. Her reception was most enthusiastic, and her singing and acting proved her well worthy of the interest taken in her success, and the high character of her family. Miss A. Kemble played with the greatest success in several other operas, and established her fame as a most eminent actress and vocalist.

The War in China. — The Indian newspapers give some interesting details of the contest now going on in the East. Her Majesty's chief servants in China appear to have been placed in a most awkward predicament during a typhoon, on the 21st of August. It appears that her Majesty's cutter *Louisa*, Lord A. W. Beauclerk in command, Mr. Swan master, with their excellencies Sir G. Bremer and Captain Charles Elliot, her Majesty's joint Plenipotentiaries in China, flag-lieutenant

Fowler, and Mr. Morgan, Sir G. Bremer's secretary, on board, left Macao roads for Hong Kong on the 20th. On Friday afternoon Sir G. Bremer and Captain Elliot were brought back to Macao in a small Chinese boat. The cutter had been blown to the westward. About noon on the 21st Mr. Owen, the second master, was knocked overboard whilst employed about the lowered gaff and drowned; the cutter was eventually wrecked on the island of Kowlan, to the north of Tylow, and near to the village of Feisha. This island is in the division of Wongleongtow, district of Heangshan. Her Majesty's joint Plenipotentiaries were, at first, rather roughly treated; the commodore was knocked down and stripped, and had not the man who brought their excellencies back to Macao in his boat interfered in their behalf and protection, the English expedition in China would probably have been deprived of both its civil and military heads. The man called himself a comprador, took the shipwrecked people into his house, and gave them food. Sir G. Bremer landed on the Praya Grande in a red Guernsey frock and drawers; the price of their rescue was 3,000 dollars. Lieutenant Fowler, Lord A. W. Beauclerk, and the rest of the crew were brought back to Macao on Sunday, by a Lorcha and a boat of her Majesty's ship Herald, which had been despatched for that purpose.

It does not seem certain whether Keshen, the Chinese admiral, fell a sacrifice to the imperial wrath, but certainly he appears to have been used as a sponge, and the opportunity eagerly seized to squeeze from him his ill-gotten wealth as appears from the following account of property seized by the Imperial Government in Keshen's houses:— Gold, 270,000 taels weight; Sycee silver, 3,400,000 taels weight; foreign money, 2,000,000 taels weight; land cultivated, 39 king. A king contains 100 mow, or Chinese acres, equal to about one-third of an English acre. 4 pawn-shops in the province of Pechele; 2 ditto at Shingking or Moukden; 84 banking (or shroff) shops; 94 large pearls; 14 strings of pearls; 8 pearl lamps; 34 arrow thumb-rings, made of the feathers of the *fei tsuy* bird; 18 pieces of coral; 24 catties of ginseng; 25 catties of deer's horns; 420 lengths of silk; 30 pieces of broad cloth and English camlets; 18 striking clocks; 10 gold watches; 24 fur garments: 2 images of horses, made of precious stones; 2 images of lions, made of precious stones; 28 crystal washhand basins; 1 tortoiseshell bedstead; 4 chariots; 168 female slaves.

Training and Drilling in China. — (*Translations.*) — *Proclamation from the Governor and Lieutenant-Governor of Canton.*— Ke, Governor, and E Fooyuen of Canton, for the purpose of again enlightening the villagers with reference to the practice of their military exercises, in masses, or enrolled corps, for the purpose of their defence (against the English).

It is well known that it is the duty of the standing army to protect the people; but the protection given to the people by the army differs in degree from the self-protection of the people: for the strength of the army is fixed, and the troops do not like the people to come altogether in crowds; the regulars have allotted posts to guard; not like the people, who

rush to all parts of their neighbourhood; in giving battle certain times are fixed; and not like the people who follow their own inclinations in this matter; for if one hamlet rises 100 villages follow; and as the city is strong (a well fortified city is called a "golden city;" the walls are of solid metal, and the ditch of water of a boiling fluid! implying the ditch is too hot to be crossed), and one man stepping forth will unite myriads in the cause; and then you possess the talent and power of opposing force to force, and warding off contemptuous treatment (by foreigners).

Lately, when the city was attacked on the northern side, the lads of 100 villages united to attack the English barbarians, and killed upwards of a hundred of them. They all performed a most righteous and patriotic act, and carried it through most efficaciously, to the deep delight of the hearts of men.

We, the said superior officers, have already ordered magistrates of the Nanhae and Puanyu districts to repair in person to the said villages, and examine minutely into all the particulars. We have also ordered the three Sze officers and the salt commissioner to consult with the Kwang-chow-foo on the bestowment of rewards, commendations and compassion.

However, although now dwelling in security, the past danger cannot be forgotten, and the end must be regarded as the beginning. We should recur to the stratagems of days long gone by, and not be slack in our hostile intentions; all of ye should increase your strenuous efforts. Those who do not unite with the mass, or are not enrolled, let them come forward for the protection of the community, who will then be enabled to dwell in their old residences; and he who can drive out the wicked, cruel, and ruthless murderers will induce joy, peace, and plenty. Let the braves who are versed in stratagems unite with one mind, and carry their plans to perfection. Do not ungratefully disappoint our sanguine hopes. Let all, without opposition, implicitly obey. A special proclamation. 5th moon, 8th day (June 26).

ACCOUCHEMENT OF HER MAJESTY —BIRTH OF A PRINCE.

"*The London Gazette Extraordinary, Tuesday, November* 9.

Buckingham Palace, Nov. 9.

"This morning at twelve minutes before eleven o'clock, the Queen was happily delivered of a Prince, his Royal Highness Prince Albert, her Royal Highness the Duchess of Kent, several Lords of her Majesty's most honourable Privy Council, and the Ladies of her Majesty's Bedchamber, being present.

"This great and important news was immediately made known to the town by the firing of the Park and Tower guns; and the Privy Council being assembled as soon as possible thereupon, at the Council Chamber, Whitehall, it was ordered that a Form of Thanksgiving for the Queen's safe delivery of a Prince be prepared by his Grace the Archbishop of Canterbury, to be used in all churches and chapels throughout England and Wales, and the town of Berwick-upon-Tweed, on Sunday, the 14th of November, or the Sunday after the respective ministers shall receive the same.

"Her Majesty and the Infant Prince are, God be praised, both doing well."

The *London Gazette* of the same evening contained an Order in Council for a Form of Prayer upon the happy occasion, and another directing Prayers to be put up in the Scottish Episcopal Churches, according to the Act of Union—and the following Bulletin:—

"The Queen was safely delivered of a Prince this morning at forty-eight minutes past ten o'clock.

"Her Majesty and the Infant Prince are perfectly well.

"James Clark, M.D.
"Charles Locock, M.D.
"Robert Ferguson, M.D.
"Richard Blagden.

"*Buckingham Palace, Tuesday, Half-past* 11, A.M., *Nov.* 9, 1841."

Her Majesty was taken unwell about seven o'clock in the morning, and instantly afterwards information was sent to the Home-office, and instructions given to summon the immediate attendance of the great Officers of State.

There were present on the occasion, in her Majesty's room, his Royal Highness Prince Albert, Dr. Locock, and Mrs. Lilly, the monthly nurse. In the adjoining apartments, besides the other medical attendants (Sir James Clark, Dr. Ferguson, and Mr. Blagden) were her Royal Highness the Duchess of Kent, the Lady in waiting on the Queen, and the following Officers of State, and Lords of the Privy Council, viz., the Lord Steward, the Lord Chamberlain, the Master of the Horse, the Duke of Wellington, the Bishop of London, Sir Robert Peel, the Duke of Buckingham, Earl of Aberdeen, Sir James Graham, the Lord Chancellor, and the Marquess of Exeter, Groom of the Stole to His Royal Highness Prince Albert. Immediately after birth the Royal Infant was carried by the nurse into the adjoining room, and shewn to the illustrious personages in waiting, and the customary declaration of birth issued in the usual form.

Upon the announcement of her Majesty's happy accouchement, the nobility and gentry crowded to the Palace to tender their dutiful enquiries as to the Sovereign's convalescence, the Lord Mayor, accompanied by the city authorities, proceeding in great state—no doubt the zeal of the loyal citizens being greatly enlivened by the singular fact of the birth of the Royal Infant taking place in the midst of the festivities attending the inauguration of their chief magistrate. The following bulletin was exhibited the next morning to the eager crowd:—

"*Buckingham Palace, Nov.* 10, 1841, *Half-past* 9 A.M.

"The Queen has had a good night, and is going on favourably.

"The Infant Prince is perfectly well.

"James Clark, M.D.
"Charles Locock, M.D.
"Robert Ferguson, M.D.
"Richard Blagden."

The succeeding bulletins contained the continued convalescence of her Majesty, and the public were spared all anxiety as to the welfare of their Sovereign and their infant Prince.

The following is the Form of Prayer prepared by his Grace the Archbishop of Canterbury upon this event.

"O merciful Lord and heavenly Father, by whose gracious gift mankind is increased, we most humbly offer unto Thee our hearty thanks for Thy great goodness

vouchsafed to Thy people, in delivering Thy servant our Sovereign Lady the Queen from the perils of childbirth, and giving her the blessing of a son. Continue, we beseech Thee, Thy fatherly care over her; support and comfort her in the hours of weakness, and day by day renew her strength. Preserve the infant Prince from whatever is hurtful either to body or soul; endue him, as he advances in years, with true wisdom; and make him, in due time, a blessed instrument of Thy goodness to this Church and nation, and to the whole world. Regard with Thine especial favour our Queen and her Royal Consort, that they may long live together in the enjoyment of all earthly happiness, and may finally be made partakers of everlasting glory. Implant in the hearts of Thy people a deep sense of Thy manifold mercies, and give us grace to show forth our thankfulness by dutiful affection to our Sovereign, by brotherly love one towards another, and by constant obedience to Thy commandments; so that, passing through this life in Thy faith and fear, we may in the life to come be received into Thy heavenly kingdom, through the merits and mediation of Thy Blessed Son Jesus Christ our Lord. Amen."

10. Dangerous Illness of the Queen Dowager.—While the public were in the height of joy at the happy delivery of her Majesty, great damp was thrown upon the general happiness by the intelligence, that the disease with which her Majesty the Queen Dowager had long been afflicted, had encreased to a degree that rendered it probable that her life would not long be spared. On the day succeeding the happy accouchement of the Queen, the following bulletin was exhibited at Marlborough House:—

"The Queen Dowager remains in a state of great feebleness, but her Majesty is suffering less from irritation and fever than during the last two days.

"Wm. F. Chambers, M.D.
"David Davies, M.D.

Sudbury Hall, Nov. 10."

Private accounts did not tend to diminish the anxiety this announcement was calculated to produce—and it seemed too probable, that the illustrious sufferer must ultimately yield to the painful and exhausting nature of the disease—a tuberculous affection of the bronchial tubes. The succeeding bulletins announced a gradual decline of the strength of the royal patient; but fortunately, her Majesty's happy mildness of character and patient resignation enabled her to outstand the first effects of weakness, and the subsequent accounts from Sudbury Hall, at which her Majesty had taken up her residence, reported a gradual diminution of the disease and a slow return of strength, which resulted in a partial restoration. Her Majesty's benevolent and amiable disposition had greatly endeared her to all classes, and her recovery was hailed with great satisfaction.

13. Another Maniac Visitor to Buckingham Palace.—Between 11 and 12 o'clock at night, a man went to the Equerries' entrance of Buckingham Palace, and rang the bell violently. His noisy and extraordinary behaviour had brought a mob about him before he arrived there. Police-constable Dowsey, 43 A, who was going on duty for the night at the Palace, seeing the crowd, went up to learn

what the matter was, and found the man alluded to, who carried a writing-desk under his arm, and said he wanted to see the Queen. He was asked, why? and he said that he had a box full of diamonds for her. He also said, that he was the Prince of Wales. The constable saw that he was deranged, and took him to the station-house in Gardiner's-lane. It being evident that the man, whose name was Charles Mann, and who had been a gentleman's butler, was of unsound mind, an order was made for his admission into a Lunatic Asylum.

14. Dreadful Fire and Loss of Life.—Shortly before two o'clock in the morning, a calamitous conflagration took place on the premises of Messrs. Kindon and Bathe, floorcloth and fancy table cover manufacturers, at the corner of Wellington-street, Blackfriars-road. The premises in question consisted of a five-story brick-built building, with a stuccoed front of about fifty feet in depth, situate at the south-western corner of Wellington-street. From the height of the building above any others in the immediate neighbourhood, the flames were seen by the watchmen on duty on Blackfriars and Southwark bridges before the police near the spot or the inhabitants in the vicinity were aware of it. Notwithstanding the most strenuous exertions of the firemen the whole of these extensive premises were destroyed. At about twenty minutes before eight o'clock two of the brigade men, one named William Webb, aged twenty-five, attached to the Morgan's-lane station, and the other named Joseph Parke, aged twenty-seven, belonging to the Wellclose-square station, made their way into the ruins through one of the windows in Wellington-street, with the branches of two engines, and commenced playing on those portions of the walls where the fire was still raging. They had not done so more than a few minutes when the lofty walls on the west side, together with the gable end of the south wall, fell inward with a tremendous crash, immolating the two unfortunate men beneath them, and no doubt instantly launching them into eternity.

— Frightful Murders in Burnley, and Suicide of the Murderer.—The manufacturing town of Burnley, in Lancashire, became the scene of a double murder, followed by the self-destruction of the assassin, Robert Morris, a private in the Regiment of the 60th Rifles, quartered in that place. Morris, who was a Scotchman, also officiated as mess-waiter, and was servant to Lieutenant O'Grady. He had formed an intimacy with a girl named Isabella Hadden, daughter of John Hadden, the mess-master of the barracks, and jealousy of this young woman led to the fatal result. On Sunday evening Morris observed Isabella Hadden going with Lieutenant O'Grady in the direction of the latter's bedroom. Providing himself with a carving knife from the kitchen, he proceeded to the bed-chamber, at the door of which he met his master and the girl. He stabbed them both with his destructive weapon, inflicting two wounds in the neck and one in the abdomen of the girl, and some dangerous abdominal wounds upon his officer. The wretched man then turned his weapon against himself, stabbing himself repeatedly in the abdomen, and in other parts of the body. Immediately afterwards he was discovered in the passage, unable

to speak, and he only lived three minutes after he had been removed to his pantry. Lieutenant O'Grady upon being wounded, rushed into the mess-room, and exclaimed that Morris had murdered him. He was conveyed to bed, and medical attendance procured, but the unfortunate officer lived only until noon of the following day. Isabella Hadden was removed to the lodgings of her parents, and died in great agony at one o'clock of the same day.

15. Explosion of a Firework Manufactory.—Loss of Life.—Shortly before ten o'clock in the morning a serious calamity took place in the Curtain-road, Shoreditch, by the explosion of a large quantity of fireworks and other combustible materials, at the firework manufactory of Mr. Price, situate in Charles-street, which not only resulted in the destruction of the building, but in the loss of one life, and the dreadful injury of three other persons. The manufactory consisted of a small dwelling-house, two floors high, on the north side of Charles-street, the basement portion of which was used as workshops for the manufacture of fireworks, and the upper portion was occupied by Mr. Price and his family as their dwelling. It appears that at nine o'clock Mr. Price, a man named William Shaw, and two youths, named John Hutt, aged fourteen, and John Marshall, about fifteen years of age, were in the workshops, all of them busily employed in "finishing" a quantity of small fireworks. About a quarter before ten the inhabitants were much alarmed by hearing a loud explosion proceed from the premises, accompanied by loud screams and groans. Next instant a much louder explosion of combustible materials succeeded, and the windows and street-door were blown into the street, and completely shattered. At the same moment two men and a boy, dreadfully disfigured, rushed from the passage of the house into the street, the whole of them with their clothes on fire and burning fiercely above their heads. These persons proved to be Mr. Price, his man, William Shaw, twenty-seven years of age, and the boy Hutt. Almost simultaneously two females threw themselves out of the first floor window, and falling on the stone paving, were very seriously injured: they were Mrs. Price and her sister-in-law, the former being in an advanced state of pregnancy, and within a day or two of her confinement. Their clothes were also on fire, and were with some difficulty extinguished, as were also those of the three male persons. Mrs. Price was picked up in a state of insensibility, and conveyed to a neighbouring house, and the fright and injuries she sustained are stated to have occasioned premature labour. The boy Marshall not having made his appearance, and his screams attracting attention, some humane persons who had assembled, notwithstanding another explosion was anticipated, rushed into the premises and dragged him out of the flames, with which he appeared to be struggling, and his shrieks were truly heart rending. He presented an appalling spectacle. Conveyances being procured, Price, Shaw, and Hutt, were conveyed to St. Bartholomew's Hospital, and the poor lad, Marshall, to the London Hospital, where he shortly after expired.

15. Execution of Blakesley the Murderer.—This morning

this wretched culprit paid the penalty of his crimes on the scaffold at the Old Bailey. The miserable man had endeavoured to excite the sympathy of the public, now sensitively averse to capital punishments when the slightest pretence could be made, by shamming insanity; but from the moment he became convinced that his fate was inevitable he conducted himself with the propriety becoming his awful situation. The wife of Blakesley, who was stabbed at the same time with Burdon, died a few days after his execution, partly from the wound inflicted on her, partly from mental distress. An inquest was held on her body, and the jury returned a verdict of "Wilful murder against Robert Blakesley;" probably the first verdict of the kind returned against a man already executed.

15. MANSION-HOUSE.—A case of considerable importance, as regards the laws relating to masters and apprentices, came on for decision before the Lord Mayor.

Mr. Pritchard, an extensive cigar manufacturer at Clerkenwell, appeared before his Lordship on the hearing of a complaint against his apprentice, James Moore, for misconduct, the hearing having been adjourned on Saturday, in order that the city solicitor's opinion might be taken upon an objection raised to the jurisdiction of the magistrate, because it appeared by the indentures that no premium had been paid, and it was contended for the apprentice, that inasmuch as the words of the act giving the justices jurisdiction related to "pauper apprentices and others, upon whose binding out no larger sum than 5*l.* was paid," it must be made to appear that some sum had been paid by way of premium. It had been decided, it was said, at some of the police-offices, that a farthing would be sufficient for the purpose, but without the payment of a premium was recited in the indenture the magistrate would be ousted of jurisdiction under the statute.

The city solicitor being detained at Guildhall upon pressing business, the following opinion was read:—

"My dear Sir,—I have, as you say, heard that it has been somewhere decided by somebody that the provisions of 4th George 4th, cap. 29, do not apply in cases where no premium has been paid. If that is so it must have been equally the law under the provisions of 29th George 2nd, cap. 19. The words are precisely the same in both, except that the act of George 4th extends the jurisdiction of the justices from 5*l.* to 25*l.*

"I can find no case in which the doctrine now contended for has been laid down. The former act was in force seventy years, and many hundreds, perhaps thousands of cases similar to the present, must have been decided under it. If the limited construction thus attempted to be fastened upon these clauses were the true one, it seems impossible to believe, that it would not have found its way into the courts of law long before the passing of the last act; and in that case there can be but little doubt that Parliament would have chosen other words to express what was undoubtedly its meaning, if the words actually employed do not justify the interpretation they have always received. In passing an act to give cheap and summary redress between masters and pauper apprentices, or when the small amount of the premium indicates that the parties are

not in a situation to encounter the expensive and dilatory process of an action at law, it never can have been the intention of the Legislature to exclude from the benefit of such an useful law a class of persons too poor to pay any premium at all.

"I do not think the words doubtful, but if the act is, assuming it to have been the intention of Parliament to bring such cases within the provisions of the statute, I think the Lord Mayor cannot do wrong in following the example of Lord Tenterden, who, under similar circumstances, said, 'If the words used in their ordinary import are a little two narrow, we ought, in the furtherance of the intention of the legislature, to extend them to meet a particular case.'—(See 8 Barn. and Cres., p. 334.)

"I am, my dear Sir, yours, &c.

"CHARLES PEARSON,

"*City Solicitor, Guildhall.*

"*Francis Hobler, Esq., Mansion-house.*

The evidence in proof of the misconduct was then read over.

The Lord Mayor.—I allowed the defendant to be without restraint on Saturday, in the hope that he would go to his business without delay or hesitation. How has he acted since?

Mr. Pritchard declared that the defendant conducted himself still worse immediately after the indulgence was extended to him. He not only defied him (Mr. Pritchard), but he told the other apprentices that no authority could be exercised against them if they took it into their heads to do as they pleased.

The Lord Mayor.—Very well; we shall see whether there is not law enough to conquer him in this case. I convict the apprentice, and sentence him to hard labour in the House of Correction for one month.

Defendant.—Oh, Lord! what for.

The Lord Mayor.—For flying in the face of your indentures. I see how it is; you have acquired such a knowledge of the business as to be able to earn a good deal of money, and now, instead of serving your master, you abandon him. It is in my power to sentence you to imprisonment and hard labour for three calendar months.

The defendant was then sent to the treadmill for a month.

The sentence had a wonderful effect upon several lads who were said to be apprentices, and who cut off to their day's work the moment they heard the decision of the chief magistrate.

29. THE WEATHER which for some time had been wet and boisterous, became at length perfectly tempestuous, and did much damage on the night of Monday the 29th, and the morning of Tuesday the 30th. Many trees in Kensington Gardens at Chiswick House, and Sion House, were levelled to the ground, and the parks and gardens in and around the metropolis were strewn with branches; in various parts of London, especially in the more humble districts, the roofs of many houses were carried off, stacks of chimneys blown down, and shop-fronts blown in. The effects of the gale in the river were very disastrous, upwards of 100 barges having been sunk, and infinite damage done to the masts and rigging of the shipping. The gale was accompanied by floods, and much injury was done to the low lands. The accounts from the coast were very disastrous, the coasting craft

being driven ashore in unprecedented numbers.

27. Death of Sir Francis Chantrey.—Coroner's Inquest.—The Coroner for Westminster, and a highly respectable jury, assembled at the residence of Sir Francis Chantrey (of whom a short biography will be found in the Obituary of this volume), No. 30, Lower Belgrave-place, Pimlico, for the purpose of investigating the circumstances attendant on the death of this celebrated sculptor.

The following witnesses were examined:—

Dr. Bright, of 11, Saville-row, physician, stated, that the deceased had been a patient of his for several months past. He was labouring under severe indigestion, with a tendency of blood to the head. The last time witness saw him was two or three days before he left town for Holkham, which was about three weeks since. At that time he was in his usual state of health, which witness always considered to be very precarious; but as there were no urgent symptoms he did not object to his journey. On Thursday evening witness was called on to attend deceased at his residence without delay. On his arrival, he found him dead, and, in witness's opinion, he had been so probably fifty minutes. Witness considered that he had died from a spasm of the heart, consequent on a complaint of the stomach.

Mr. J. Perry, of 4, Eaton-square, surgeon, was also called in previous to the last witness being sent for. He said that on entering the drawing-room he discovered the deceased sitting on a sofa, with a tin bottle of hot water, which he pressed on his stomach. He told witness that he had had a long abstinence from food that day, having had nothing to eat since breakfast. He also mentioned that he had walked out with a friend (Mr. Jones), and had endeavoured to reach Buckingham-palace, but failed in the attempt, from an agonizing pain in the stomach. Having prescribed for him, witness left the house. At a quarter to nine he was again called in, when he found the deceased apparently lifeless on a couch. Witness endeavoured to bleed him, but in vain, and also recommended that mustard poultices should be applied to his stomach and feet, but they were of no avail, for he was dead. The deceased was about sixty years of age.

James Hatton Barker, the butler, stated that when his master left the house with Mr. Jones he appeared to be quite well. He returned in about twenty minutes, and while witness was taking off his cloak he complained of being very unwell, and soon after medical advice was sent for.

Verdict—That the deceased died from a spasm of the heart.

DECEMBER.

3. Shocking Death of the Hon. Lucy Fortescue.—At an inquest on the body, held at the City of Hereford Inn, Brighton, on Saturday, before Mr. J. F. Gell, coroner, and a respectable jury, Sarah Cooper deposed:—I was maid to the deceased, who resided in Charlotte-street, Brighton. She was a single lady, and was in her seventy-eighth year. On Thursday morning, the 23rd of November, between nine and ten o'clock, I had dressed her in all but her upper garments, and then left her, and

retired into an adjoining room, as was my custom, until she washed. In about half an hour I heard a noise as of the stamping of feet. I opened the door immediately, and found the deceased in the middle of the room enveloped in flames. I went up to her and got a carpet and put it over her, and then rang the bell. I screamed loudly. The two female servants and the nurse came up immediately. The servants threw water upon her and extinguished the flames, after which we put her to bed. There was a fire in the room, but there was no guard on it. The flames appeared to me to have caught the lower part of her clothes.—Mr. P. Phillpots, surgeon, Devonshire-place, Brighton, deposed,—I was called upon to attend the deceased on the morning of Tuesday, the 23rd ult., in consequence of her having been burnt. Being out, my assistant went before me. On my arrival I found him dressing wounds of considerable magnitude on the left arm of the deceased. Her chin, throat, and left thigh were also very much burnt. I continued to attend her up to her death. She died of fever, the consequence of injuries to the skin from burning. She was unable to give any account as to how it happened. The jury immediately returned a verdict of "Accidental death." The deceased was sister to the late and aunt to the present Lord Fortescue.

4. The Overland Mail.—The following Telegraphic Despatch summed up the Eastern news as follows:—"The Indian Mail arrived at Malta on the 28th ultimo, and at Marseilles on the 1st instant. It brings no news from China. It appears that the Burmese had caused some uneasiness to the Government, but that ample repressive measures were taken at Calcutta."—This intelligence was not calculated to produce any effect in the mercantile world.

6. The Tower.—The Tower was, for the first time since the fire, opened to the public, by the purchase of a ticket, price sixpence, at the Armoury Ticket-office, at the western or principal entrance. Various specimens saved from the ruins, showing the effects of the fire on the different metals, and other substances destroyed by it, were exposed for sale to the visitors at certain fixed prices. For several weeks a constant succession of visitors flocked to the scene of destruction, and a very considerable sum was realised by the sale of the relics, such as calcined gun-flints, fused percussion-caps, gun-locks, &c.

Conjugal Fidelity.—Extraordinary Escape of a Spanish Officer.—Don Eulogio Barbero Quintero, an officer actively engaged in the recent insurrection, about twenty-five years of age, had attempted to escape into France upon the failure of the conspiracy, but was intercepted and confined in the citadel of St. Sebastian. Quintero had been married about a year previously to a young lady named Juana de Areitio, a native of Eybar, in the province of Guipuscoa, who had not yet completed her twenty-first year. She was one of those heroic young women who, in 1834, when her native town was attacked by Zabala, in the commencement of the civil war, assisted the Christino troops so materially in its defence. When the tidings of her husband's danger reached her she at once formed the determination of saving

or of perishing with him. The cell in which Quintero was confined was small and narrow. The door was always left open, and a sentinel was placed at the entrance in order to keep the prisoner constantly in sight; another was stationed at the outer gate, and a third kept guard at the street-door. To reach his dungeon it was necessary to pass these three doors, one of which was formed of iron bars. The prisoner had been forbidden to hold communication with any person whatever; and his wife's application to see and visit him had been sternly refused. The poor young woman went to the prison-door several times every day with her baby in her arms, and as often returned after vain supplications for admittance, with a heart breaking in anguish. The only person allowed to enter the cell where the prisoner was confined was a young girl, who brought him his meals, and only twenty minutes were allowed for dinner and supper. The former meal was taken at mid-day, and the latter in the evening. At seven o'clock in the evening of the 21st of November, a young female came to the outer door of the prison, with a basket under her arm, which was partially concealed under a large coarse shawl flung across her shoulders; a red handkerchief was bound about her head, in the fashion of the Alavese peasant girls, and her costume was, otherwise, that of the *criadas*, or servant-girls of Vittoria. She demanded permission, in the usual manner, to enter with the prisoner's supper. The sentinel at the gate referred her to the serjeant of the guard. Fortunately the company which had previously been on duty was changed that same day, and the general orders for their guidance referred only to the admission, twice a day, of the bearer of the prisoner's meals, but did not give any specific description of the personal appearance of the bearer. After undergoing the coarse jests and brutal allusions of the soldiers of the guard on her selection of so advanced an hour, when night had already commenced, to visit the prisoner, she was allowed to enter, and was successfully passed from one sentinel to another until she reached the cell of the captive. By some awkwardness, or more probably by design, she threw down the small iron lamp, which was suspended from the door-frame, and by means of which the soldier stationed at the entrance, which was always left open, might have a partial view of his charge. The moment they were left in darkness, and whilst the sentinel proceeded to the second gate to light the lamp, she addressed the young man,—"My beloved Eulogio, lose not a moment, throw off your coat, put on my clothes, whilst I bind this handkerchief about your head; take this basket, in which my poor baby is asleep, and fly, fly, for the love of God! You will give the child to an old woman whom you will find waiting at the Bilboa gate. Provided that you and my child are out of all danger, I am ready to suffer death in your place. Speak not a word; every moment is precious. You only lose time by attempting to resist, or refuse, for I have come here with a determination, which neither you nor any one else can change. Farewell! if I escape unharmed, (and I do not think the Regent will shoot me for my love for my husband), we will meet again; if

not, Eulogio, think of me when I shall be in the grave, and love our child—the poor baby is not more than six weeks old. Hush!—speak not; the sentinel is here with the lamp." Quintero made an effort to change her resolution, but she would listen to no argument. He did as she requested, and in the course of a few minutes he had put on her gown, shawl, and handkerchief, and she wrapped herself up in his cloak. In order to prevent any suspicion on the part of the soldiers at the gate, they remained together the usual time allowed for the repast, and Eulogio then took up the basket, covered it with his shawl, and passed the first sentinel. As he was proceeding towards the outer gate the child awoke, and, to prevent its cries from being noticed, the father began to sing, in a loud voice, an old Basque ballad. Providence, however, decreed that the interruption should not be noticed, and he at length succeeded in reaching the street, and after wandering some days in the mountains, and enduring dreadful hardships, happily succeeded in reaching the French frontier. It is understood that the courage and fidelity of the young wife could not avert the wrath of the Regent, and that she was tried and condemned to perpetual imprisonment.

COPY OF THE PATENT CREATING THE DUKE OF CORNWALL PRINCE OF WALES. — "Victoria, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

"To all Archbishops, Dukes, Marquesses, Earls, Viscounts, Bishops, Barons, Baronets, Knights, Justices, Provosts, Ministers, and all other our faithful subjects, greeting,—

"Know ye, that we have made and created, and by these our letters patent do make and create, our most dear Son, the Prince of the United Kingdom of Great Britain and Ireland (Duke of Saxony, Duke of Cornwall and Rothsay, Earl of Carrick, Baron of Renfrew, Lord of the Isles, and Great Steward of Scotland), Prince of Wales and Earl of Chester; and to the same, our most dear Son, the Prince of the United Kingdom of Great Britain and Ireland, have given and granted, and by this our present Charter do give, grant, and confirm, the name, style, title, dignity, and honour of the same Principality and Earldom, and him, our said most dear Son, the Prince of the United Kingdom of Great Britain and Ireland, as has been accustomed, we do ennoble and invest with the said Principality and Earldom, by girting him with a sword, by putting a coronet on his head, and a gold ring on his finger, and also by delivering a gold rod into his hand, that he may preside there, and may direct and defend those parts. To hold to him and his heirs Kings of the United Kingdom of Great Britain and Ireland for ever, wherefore we will and strictly command for us, our heirs, and successors, that our said most dear Son, the Prince of the United Kingdom of Great Britain and Ireland may have the name, style, title, state, dignity, and honour of the Principality of Wales and Earldom of Chester aforesaid, unto him and his heirs, Kings of the United Kingdom of Great Britain and Ireland, as is abovementioned.

"In witness whereof, we have caused these our letters to be made patent. Witness ourself at West-

minster this 8th day of December, 1841.

"By the QUEEN herself,
EDMUNDS."

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10. MELANCHOLY DEATH OF PHILIP COURTENAY, ESQ. — An inquest was held at the Adelphi Hotel, Liverpool, on the body of Mr. Philip Courtenay, Queen's Counsel, and late Member of Parliament for Bridgewater, whose death occurred under the melancholy circumstances detailed in the following evidence. The deceased was in his 56th or 57th year.

Sarah Harris said,—I am chambermaid at the Adelphi Hotel. The deceased came to the hotel about seven o'clock in the morning of Thursday. He had no luggage except a small carpet bag. About the middle of the day he gave me some linen to get washed for him, and said he wanted it to be ready by the next day. He then went out, and I did not see him again that day. Yesterday (Friday) morning, about ten o'clock, I went to his bedroom to see if it was arranged. On opening the door, I saw the deceased in bed, apparently asleep. I then immediately left the room. In about two hours after, I returned again, and found the deceased still in bed. I went and spoke to him, but received no reply. He appeared to be still asleep. I left him, and returned to my business. As the deceased never got up during the day, I went again to rouse him about five o'clock in the evening. I shook him, but received no answer. I then became alarmed, and drew the clothes, and found him lying on his right side, with his face towards the wall. I spoke to him again, but still receiving no reply, I looked at him, and he appeared to be sound asleep, and in a state of cold perspiration. I thought he was in a fit, and immediately called the book-keeper of the establishment, who came and sent for a surgeon directly. The deceased appeared to be insensible. Two surgeons attended, who bled him in the arms. Mustard plasters were applied to his feet, but he did not appear to recover. They then applied the stomach-pump, and succeeded in bringing up a quantity of matter. The galvanic battery was also applied, but he never rallied, and died about twenty minutes before eleven o'clock the same night. I found two bottles in the room, which I gave to Mr. Stokes, the surgeon. I never observed anything in the manner of the deceased to lead me to think that he was at all deranged in his mind.

Mr. Alexander Stokes examined.—I am a surgeon, and was called to see the deceased about five o'clock yesterday (Friday) evening. I found him in a state of stupor, which might be at first taken for apoplexy. The pupils of the eyes were very much contracted. I treated the case as one of apoplexy, until, from the peculiarly contracted state of the pupils and other circumstances, I was led to suppose that it was the effect of some narcotic poison. I directed the chambermaid to search the room, to see if any bottle could be found, and shortly after she gave me the two small bottles now produced. One was labelled, "Solution of acetate of morphia," and "Poison." The other was labelled "Solution of muriate of morphia." Both are poisons. I am decidedly of opinion that the deceased has died from the effects of a narcotic

poison, but I can only give this as an opinion. I was informed that the deceased in walking dragged one leg after the other, from which I should suppose that he had had an attack of paralysis. The effect of taking the contents of the bottles would be to produce an appearance of intoxication.

William Rawle examined, — I am a chymist, and my shop is in Church-street. About seven o'clock on Thursday evening a gentleman came to my establishment and asked for two ounces of solution of morphia, which I prepared for him. He inquired the strength of it, which I told him, and he informed me that he was in the habit of taking it. He appeared perfectly himself. I have since seen the body of the deceased, but cannot swear that he was the gentleman who got the solution, although I think there is little doubt of it. A person taking a poison of the kind would, in most cases, appear to labour under intoxication.

The jury, without a moment's hesitation, returned a verdict to the effect, that the deceased, intending to take a certain quantity of the medicine, took an overdose, which caused his death.

— Coroner's Inquest. — An inquest was held before Mr. Carttar, and a most respectable jury, at the Red Lion, Shooter's hill, on the body of Mr. Robert John Greenlaw, (son of the Rev. J. Greenlaw, the respected Rector of Woolwich), a fine young man, aged nineteen, who had only a few days before returned from Cambridge, who was accidentally shot near Woolwich-common, on Thursday last.

The Rev. R. B. Greenlaw said, —I identify the body of the deceased as that of my nephew. He was nineteen years of age. I do not know anything of the accident except from hearsay, but I was present about seven o'clock on Thursday night, when the deceased said, he being then perfectly in his senses, "My dear Read, don't make yourself unhappy or distress yourself; you have been the innocent cause of the accident."

William Peake.—I am in the employ of Mrs. Stevens, of Wellesley-house, situate in the rear of the Royal Cadet Barracks on Woolwich-common. I was at work in the garden, and saw the deceased and Mr. Read attempting to get over a newly-made bank into a plantation. The deceased got up first, and it appeared to me that Mr. Read put up both the guns towards the deceased to be pulled up by him; the muzzles were towards the deceased; Mr. Read slipped back, and a gun went off. Deceased immediately crossed his arms, screamed, and fell into the ditch. I ran to assist him on the bank, but he desired me to let him alone. I got a fly, and went for medical assistance, and the deceased was taken to Wellesley-house.

Mr. John Read, a young gentleman of private property, living on Woolwich-common, said, — I called at the Rectory-house, Woolwich, about half-past eight o'clock on Thursday morning, and I and the deceased went out shooting together. The guns we had, had percussion caps and double barrels. Upon arriving at the corner of the plantation at the rear of the Cadets' Barracks, we had a bank to get over. I first attempted it, but in consequence of its slippery state failed. The deceased then ascended it, and placed his gun by the side of a tree, and afterwards

laid hold of my gun to assist me. The muzzle was towards him, and I had hold of the small part of the stock, when it exploded. The hammers were down, and could not have caught the bank. The gun was hired, but in good condition. I cannot account for the explosion.

The jury returned a verdict of "Accidental death."

— Fearful Catastrophe at Dundee.—About half-past nine o'clock at night, the citizens of Dundee were thrown into a state of violent alarm, by the explosion of the gasometer connected with the Gas-works, which are situate at the east end of the town, near the terminus of the Dundee and Arbroath Railway. How the ignition took place could not be ascertained; but the effects were truly disastrous and appalling. The shock was felt not only at Newport, on the opposite side of the river Tay, but at Ceres, in the vicinity of Cupar, which is fully fourteen miles distant from the scene. The gas works presented a mass of ruins, while the bone-mill of Mr. James Anderson, in the immediate vicinity, was materially damaged, as well as a neighbouring church in Wallace Feus. Several houses were also much injured; and for the windows, they were shattered to atoms by the shock. Two young men engaged in the gas works, named Bruce and Bennet, were killed. Shortly after this fearful explosion, but totally unconnected with it, a detached house, of the spinning mill of Messrs. Wyllie and Johnson, took fire; but by the exertions of the fireman and police, the flames were got under without communicating to the rest of the premises.

20. Fire at Manchester.—A most destructive fire broke out in Manchester, the flames spreading with such rapidity that within a few hours after the fire was discovered, damage estimated at more than 30,000*l.* was done. The building destroyed was a warehouse occupied by Messrs. Patchett and Jones, who had for some years carried on business under the style of "The Union Carrying Company." Messrs. Patchett and Jones were canal carriers, and the warehouse, which was originally built by them, but had been recently sold to Lord Francis Egerton for 11,000*l.*, was erected, for the convenience of their business, over the Rochdale Canal. The goods in the warehouse, which were of immense quantity, and supposed to exceed 20,000*l.* in value, were of an extremely combustible nature, consisting principally of cotton, corn, and groceries, and the flames having, it is supposed, got well hold of the cotton, which was in the lower part of the building, when the fire was first discovered, spread with a rapidity almost unprecedented. The whole building was wrapped in flames by the time the engines got into play; and under these circumstances the exertions of the firemen were directed to saving the surrounding property. In a few hours from the first discovery of the fire the whole of this large pile of warehousing was a heap of ruins. A day or two afterwards, when the fire was quite extinct, a large portion of the walls fell and buried many workmen under the ruins; seven were killed.

21. Money left in Railway Carriages.—In the course of last week two instances occurred in which the sums of 7,000*l.* and 6,000*l.* were left behind in the

Brighton Railway train by passengers.

23. The Site of the Royal Exchange. — At the meeting of the Society of Antiquaries, held this evening, a paper of considerable interest was read by Mr. C. R. Smith, on the recent discovery of Roman antiquities in London, particularly with reference to the new foundation for the Royal Exchange. The completion of the foundation was much retarded by the excavators finding an extensive gravel-pit, which it required many loads of concrete to fill, on the part opposite the entrance of the Bank of England. It afterwards appears to have been employed to receive the rubbish and refuse from the shops and houses of the city, and amongst the *debris* removed were large quantities of bones, and other remains of animal and vegetable matter, with abundance of articles of domestic life, as shoes and sandals, knives and cutting instruments, on some of which were engraved the names of the makers, and some weaving instruments, in which part of the wool remained entwined, and which seemed to show the antiquity of this branch of staple manufacture. There were also found coins of Vespasian, Domitian, and Severus, but in the rubbish at top were coins of much later dates, showing this part of the city to be of comparatively recent formation.

— Extraordinary Voyage.— This evening the schooner *Whim*, Captain Kerridge, belonging to Harwich, arrived in the West India Import Dock from St. Domingo, with a cargo, after a passage of sixty-four days. The crew of the *Whim*, on leaving St. Domingo, consisted of five persons— viz., the captain, mate, two men and a boy. Four days after sailing, the mate caught a severe cold during a succession of tremendous gales, and on the twelfth day expired. A few days after the death of the mate, one of the seamen, named Michael Shey, a native of Kinsale, Ireland, was attacked with a lingering disease, and being confined to his hammock in the forecastle, he was unable to perform any kind of duty. In this state he has arrived with the vessel in the West-India Import Dock. About the time of the mate's death the apprentice also got disabled, in consequence of a severe ulcerated leg, which made him unable to stand. There was now only left the captain and one seaman, named John Lilly, to bring the schooner to England, a distance of nearly 4,000 miles (without a chronometer!) This they deemed a task almost impracticable; but, as their own lives, the vessel, and valuable cargo must be sacrificed if they did not persevere, Captain Kerridge, and his only remaining seaman (Lilly), resolved on prosecuting the voyage at all hazards. The weather was, at the advanced period of the season, unusually tempestuous, Captain Kerridge stating that he never experienced such a continuation of heavy gales, at times approaching to a hurricane. The foreyard and part of the schooner's sails were blown away during one of these tornados, and they were not replaced by others, the captain having to steer the vessel, and one man being incapable of making a refit of sails, &c. In this partly disabled state the voyage was continued, and Captain Kerridge and Lilly, when almost worn out with fatigue, descried a ship at some distance from them, and, on nearing each other,

Captain Kerridge solicited from the master of the stranger vessel one of his crew to assist him. Captain Kerridge was answered by the master that he also was short of his crew, and could not spare any of his men. Captain Kerridge did not fall in with another vessel until he reached longitude 15° W. Having perceived a sail at a short distance, he hoisted a signal flag, and the ship immediately bore down upon him, and the captain kindly gave Captain Kerridge one of his crew. Thus manned, the *Whim* successfully accomplished the remainder of the voyage, and that notwithstanding having been exposed to the late disastrous gales.

— Sudden Death in a Railway Carriage.—Stephen Darby, Esq., residing at Cookham, in Berkshire, left the Paddington station by the eleven o'clock train to proceed by one of the first-class carriages, in which he was by himself, to Maidenhead. When the train stopped at Slough, a gentleman got into the same carriage, and at this time Mr. Darby appeared to be dozing. The train, however, had scarcely started from Slough, when the gentleman discovered that his travelling companion appeared to be in his last sleep. All attempts to make the guards or conductors hear his shouts for the train to be stopped and assistance afforded to the deceased in the event of his having been in a fit, were totally fruitless, from the noise occasioned by the engine and the wheels of the carriages. Upon its arrival at the Maidenhead station, medical aid was immediately obtained, but it was too late, life being entirely extinct. The deceased had been for some time previously labouring under a disease of the heart, and to this cause his medical attendant attributed his death.

24. Accident on the London and Brighton Railway. — An inquest was held at the Sussex County Hospital, before Mr. F. H. Gell, coroner for Sussex, on view of the body of John Clegg, a fine athletic man, aged thirty-four.

Richard Radcliffe, a stonemason, in the employ of one of the contractors, deposed that the deceased, who was a most excellent servant, worked under witness for nearly two years, as head-quarryman. The deceased called upon witness about six o'clock on the evening of the accident. The deceased stopped with witness about ten minutes, and then proceeded along the line towards home. Shortly afterwards intelligence was brought that he was run over by the last train, which passed about six. Witness went to the Oak beer-shop and saw the deceased in bed. When asked how the accident happened, he replied he could not tell, and kept exclaiming "Let me die." Witness examined the spot on the railroad, where he had been run over. The mark of his foot was left on the ground between the rails. The engine and carriages all passed over him. The workmen are allowed to walk on the line.

James Chandler deposed: The train passed witness about half-past six; in a few minutes he found the deceased lying in the road between the "metals," with his left arm doubled under him, and his legs drawn up.

Mr. Whitehouse, house surgeon of the Sussex County Hospital, stated that the deceased was brought into that institution on Monday, the 29th of November,

very seriously injured. His right hand and three of his ribs were broken. The deceased appeared to have been injured by the fire-box; the wheels did not go over any part of him, or he must have been cut to pieces. Witness was of opinion that had he been so knocked down, it must have killed him on the spot. Witness could not positively say whether the cause of death was the result of the accident or of previous disease. The ribs being broken, a small part might have entered the lungs and accelerated death.

The jury returned a verdict of "Died from natural causes accelerated by the accident."

24 Frightful Accident on the Great Western Railway.—An accident the most appalling that had yet occurred on any railway, happened this morning at an early hour on the Great Western Railway, hitherto considered the safest and best conducted. The luggage train, which leaves Paddington at half-past four, A.M., was proceeding downwards at the usual hour, with about thirty-eight passengers, chiefly of the poorer class, when on reaching the middle of the Sonning-hill cutting, about two miles and a half from Reading, it suddenly came in contact with a mass of earth which had slipped from the slope above, and covered one of the rails to the depth of two or three feet. On meeting with this obstruction, the engine was immediately forced off the rail, dragging the tender after it; the next truck, which contained the passengers, was thrown athwart the line, and in an instant was overwhelmed by the trucks behind, which were thrown up into the air by the violence of the collision, and fell with fearful force upon it. The engineer, and the guard, who was in the same truck with the passengers, had just time to perceive the danger, and springing from the carriages, escaped; but of the rest of the passengers, no less than eight were killed on the spot, and seventeen others more or less severely wounded. These were conveyed, as soon as possible, to the Reading Hospital. Four were sufficiently recovered to be enabled to proceed on their journey the same day, others recovered after protracted sufferings, to bear with them the tokens of their danger for the remainder of their days, and two were added to the fearful catalogue of victims. Several persons, who arrived on the spot a few minutes after the accident happened, describe the sight as horrible in the extreme. The morning was dark and gloomy, but through the obscure light which was obtained, were discerned the corpses of eight persons frightfully mutilated, and crushed amidst the wreck of trucks which were heaped in confusion one upon another. Of these unfortunate victims, one was stated to be a woman; another, a son, whose sudden and deplorable fate had been witnessed by his own father, who was his fellow passenger, and who escaped with his life.

A Coroner's inquest was held on the bodies of the killed, at the Shepherd's Bush, a small public house near the scene of the accident, on the evening of the same day, and adjourned to the Monday following.

It was deposed by the drivers and guards of the several trains that the mail train had passed over the same line about an hour before the accident, without meeting any obstruction: and by the guard of the train in question, that the em-

bankment seemed to be shaken down while the train was passing, by the vibration caused by it, and that he himself was struck by earth and gravel *before* the concussion took place. Bertram, an officer of the company, declared that he had examined the spot the day before the accident, and had found it perfectly sound: and that although there had been cracks very near the spot, they had been repaired and drained, and made secure, and that the slip was from ground *beside* that part, but not of it,—that guards had been placed while these repairs were going on, but had been removed the night before, on the repairs being completed.

On the other hand several persons, whose occupations led them near the scene of the disaster, gave evidence tending to accuse the company of very culpable negligence—of these Mr. Salmon, a barrister, and Mr. Gosling, a respectable farmer, declared that they had noticed, for a fortnight previously, several slips of earth from the very part which afterwards caused the accident; that the company were well aware of the fact, as they had sent a few men who were repairing the damage in a very careless and insufficient manner; these facts were corroborated by the testimony of several working men on the spot. Witnesses were also examined whose testimony was intended to shew that the company had been guilty of gross negligence in placing the passenger trucks immediately after the engine and before the luggage trucks, whereby when any sudden check occurred the latter run over and crushed the former.

To rebut this, other policemen and officers of the company were called, who bore additional testimony to the vigilance of the proper parties to this very spot, and the apparent security up to the very instant of the accident.

Mr. Brunel, the chief engineer of the company, sworn, deposed as follows: — With respect to the system of watching along the line, my different assistants have instructions to appoint night watchmen wherever there is any appearance of danger. In cases of slips in the cuttings, when they are superficial, it is found better to drain them well, remove loose earth, and leave the slip open to dry. The slips are then narrowly watched, and if no further movement takes place within a short time, experience has shown that draining is sufficient. In this particular case of the Sonning cutting I saw a small slip about three weeks ago. I inquired of Mr. Bertram what had been done. I found it had been drained, and, as I observed it was only a superficial slip, I did not consider there was any danger to be apprehended. I have passed many times since, and have not observed any change. On Friday morning I arrived at the spot a few hours after the accident, when I examined the slip, which had then taken place. It was a totally distinct slip. I pointed out to Mr. Bertram the drain which had been cut round the former slip, and which was quite apart from the new one. The disturbed ground of the new slip touched the old slip; but the slips themselves commenced in different parts of the slope, and in different strata. The width of the cutting at the bottom was forty feet; its depth fifty-seven feet; and the width at the top two hundred and sixty-eight feet. The width of the spoil-bank on the south was one hundred feet; on

the north sixty-seven feet. The spoil-bank at the slip commenced at about fifteen or twenty feet from the boundary of the company's land. I saw after the accident that there was room to walk between the spoil-bank and the edge of the slope, so that the spoil-bank had not moved. I think the spoil-bank had no influence on the slip. The spoil-bank was not twenty feet high at thirty feet distance from the top of the slope. The spoil would not stop at two to one. As there have been discussions here and in the public papers relative to the position of the passenger tenders, perhaps I may be allowed to mention that the reason for putting the passenger trucks next to the engine arises from the danger to which a luggage train is considered most liable — namely, its being overtaken by another train, in consequence of its being slower, and unavoidably less punctual than passenger trains. The danger arising from the breaking of axles is greater in the luggage trains from the great weight. In either case the front of the train is the best position for passenger trucks. The passenger truck was put in the middle of the train on the Friday evening by my order, merely as a concession to an opinion, which I knew had been frequently expressed. On the evening in question I discussed the matter with the superintendent and Mr. Saunders, at Paddington. I thought it would have been better not to send down any luggage train that night; but there were so many applications for places, being Christmas-eve, that we thought it better to place the passenger truck in the middle, lest it should be considered a mere act of obstinacy if we adhered to the former practice. In my opinion to put passenger trucks behind would be extremely dangerous. Our feelings and interests are, of course, involved in providing the best place possible for passengers, and, upon the whole, my decided opinion is, that near the engine is preferable to behind the goods-trucks. Many accidents might arise to passengers, if placed in the rear of the luggage trains, by being run into; the lamp behind having gone out, and trucks perhaps got uncoupled, and left behind.

The jury returned a verdict of "Accidental death in all the cases, and a deodand of 1,000*l.* on the engine, tender, and carriages."

— COMMISSION OF LUNACY.— A Commission of Lunacy was opened at the Gray's-inn Coffee-house, before Commissioners Blunt, West, and Murray, to inquire into the state of mind of Richard Wicks, a Greenwich pensioner, who had become entitled to very considerable property (said to amount to 120,000*l.*), under very singular circumstances. The lunatic was introduced in the well-known dress of a Greenwich pensioner. It appeared from the evidence that Mr. Wicks, who was now about fifty-four years of age, had moved in a very respectable station in society, and that early in life he entered into the navy, where, as a midshipman, he remained for many years, and rose to the rank of acting-lieutenant, but never passed so as to bear his Majesty's commission, and having fallen into great distress, was, in 1837, admitted into Greenwich hospital. In 1835, Miss Wicks, a cousin of Mr. Wicks, residing in Gloucestershire, was found to be a lunatic. She was possessed of some property, and from Mr. Wicks's relationship he was led to entertain hopes of be-

coming possessed of it. These hopes seemed to have increased a malady which had slightly manifested itself for some years, and he began to entertain fancies with respect to his situation in life. He believed he had become possessed of unbounded wealth, and laboured under a variety of the most extraordinary delusions, so as to show that the mind was utterly gone, and reason subverted. Under these circumstances, provision was made for him by the Hospital in a lunatic asylum. In the meantime Miss Wicks had died, and although she was a lunatic at the time of her death, yet she had executed, as far back as 1830 and 1833, testamentary instruments under which Mr. Wicks took benefits to such an amount as would furnish him with the means of comfort for the remainder of his life. The validity of these testamentary documents was contested by those who said they were next of kin of Miss Wicks, and it therefore had become necessary to provide for the enforcement of these claims, and for the proper management of the property if it should be gained; and his wife had therefore sought to take out the present commission. After hearing the testimony of the medical men as to his state of mind, and an examination of Mr. Wicks, which left no doubt upon the subject, the jury immediately found "That Richard Wicks is a lunatic without lucid intervals, and not fit to govern himself and his own affairs, and that he has been so from the 1st of September, 1840."

— Thames Tunnel.—A thoroughfare was at length effected in this work, and made use of for the first time, by the whole of the directors and some of the original subscribers, who had assembled upon the occasion. The shield having been advanced to the shaft at Wapping, a considerable opening was cut in the brick-work, and through this the party who had met at Rotherhithe were enabled to pass, thus opening the first subterranean communication between the opposite shores of the river. Upon their arrival at the shaft the party was greeted by the workmen with most hearty cheers.

26. Artificial Ice.— An invention, consisting of a composition put down in the same manner as the asphalt pavement, for affording the exercise and recreation of scating, in despite of warm winters and in the absence of frost, has been patented by Mr. Kirk, and is undergoing the test of its efficacy in an apartment of the premises formerly part of Mr. Jenkins' nursery-grounds. The invention underwent many trials some months ago at the Baker-street Bazaar, and was scated upon by the members of the Scating Club and other competent judges, all of whom were most decided in their opinion of its being so perfect an imitation of natural ice that all figures and evolutions performed by the most accomplished scaters on real ice might be equally well performed by them on the artificial substitute. The piece of artificial ice laid down at the Baker-street Bazaar was about seven-eighths of an inch in thickness; nevertheless it stood an immensity of friction, and was but little damaged by the cutting of the scates in several months of very severe and continuous wear and tear. Indeed, no real ice could have supported the same perpetual friction unless renewed by successive frost. The patentee has made a proposal to form a company

for erecting a spacious building for laying down a surface of artificial ice, covering 30,000 square feet, to be called the Glaciarium. On the piece of ice already laid down, may be daily seen some of the best scaters in London, cutting "double threes" and "wheeling about and turning about" through all the mazes and intricacies of the most difficult figures of this most exciting art.

27. British Museum. — The number of persons who visited the British Museum this day, was 14,763, being a much larger number than on any "Boxing-day" since the Museum has been open to the public on those days. Last year, Christmas-day falling on Friday, and the Museum being closed on Saturday, the number of visitors was 2,531, whilst on Whit-Monday it was 9,031. Not a single instance of damage occurred during the day.

27. Supply of Water for Paris.—The following plan for effecting a better and cheaper supply of water to the inhabitants of Paris has been proposed by a Mr. Miles. From his plan Paris would derive very great advantages; first, by a much greater supply of water; secondly, at a cheaper rate; and thirdly, that the quality would be more pure. The quantity of water to be delivered at each house would be increased to 1,000, 2,000, or 3,000 litres per day, at one half the price paid at present per 50 litres, after allowing ten per cent. profit to the subscribers. The city of Paris possesses very peculiar advantages for such an undertaking. In London the quantity of water consumed daily is 168,826 cubic metres (French) for 191,066 houses. In Paris we may reckon 40,000 houses at the utmost, little more than one-fifth of those in London. The expense of pumping by steam-engines this quantity of water from the level of the Thames at London to an elevation equal to the Canal de l'Ourq above the Seine would cost 69,000*l.* per year, the whole of which would be saved by a supply from the Canal de l'Ourq. The houses in London may be calculated at six persons each, making a population in 191,066 houses, of 1,146,396 inhabitants. The 40,000 houses in Paris contain 909,126 inhabitants, equal to 22 or 23 to each house. The length of the pipes required for Paris will not exceed a fourth part that of London, and their dimensions will be less, on account of the descent of the water affording a greater velocity. The exact length of pipes required cannot be stated without a plan and sections of all the streets; it is probable that the diameters of the principal mains should be twenty inches, of the secondary class twelve inches, and of the service-pipes from twelve to two inches, and that the length required would measure about 170 English miles. If this quantity of iron pipes were delivered at 20*l.* sterling per ton it would amount to the sum of ... 480,000

The expense of laying, with the apparatus of cocks, &c., for service, may be stated at ... 120,000

Making a total of £600,000

Supposing ten per cent. interest, the sum to be paid annually would be 60,000*l.* At present Paris pays annually for the purchase of water, not exceeding 50 litres per day for each house, 160,000*l.*, so that upon the present rental a saving would take place of 100,000*l.* per year, and the inhabitants would receive

the most abundant supply of water. The quantity of water consumed daily in each house in London, in 1810, before the establishment of the new water companies, did not exceed 50 gallons, but since that period the consumption has reached 200 gallons per house per day. This includes manufactories, baths, water-closets, &c. If a similar increase in the consumption should take place in Paris, the quantity required would be 140,000 cubic metres per day, for the use of the 909,126 inhabitants. London pays annually for water the sum of 284,188*l.*, averaging about 32*s.* per house for six persons; consequently, if Paris were called upon to pay 60,000*l.* per year, it would average about 8*s.* for every family of six persons for an equal supply.

27. Emigration from Great Britain.—According to the abstract of the late Population Returns it appears that while the population of England and Wales in 1821 was 11,978,875, there had emigrated in the next ten years 124,888. In 1831 the population was 13,897,187, and the emigration from that period to the present year was 394,105. The population of Scotland in 1821 was 2,093,456, and in the first decennial period there were 20,969 emigrants; and in 1831 it was 2,365,114, and the emigrants in the same period 66,173. These details only include those who have left in emigrant ships, while a large portion of passengers embark for the colonies and foreign lands in trading vessels, of whom no account is preserved.

28. Fatal Explosion on the Bristol and Glocester Railway.—A fatal accident took place on the Bristol and Glocester Railway, which is unfinished, at shaft No. 5, near the entrance of a tunnel, running within two fields of Wickwar, about fifteen miles from Bristol, by which three men lost their lives on the spot, and five more were so seriously injured that it was necessary to convey them to the Bristol Infirmary. It appears that on the Saturday previous a quantity of gunpowder (upwards of half a cwt.) which had been slightly damaged by damp, was placed in the blacksmith's shop of the works, close to the entrance of the tunnel, *for security*. The blacksmith having been ordered to sharpen some of the workmen's tools on the Monday, proceeded to do so, unaware of the presence of the powder in his shop, and while engaged in his work at the anvil a spark from the anvil, it is supposed, must have ignited the powder, which suddenly exploded, spreading destruction all around, blowing away the blacksmith's shop, the mill-ring, and a portion of the tunnel, together with the blacksmith and seven other men, who were unfortunately at work near the spot, three of whom were killed instantly, the head of one being blown entirely off his body, while another man was blown to a distance of upwards of seventy yards, where he was seen by the distracted multitude who had assembled on hearing the explosion, in a burning state, his clothes being ignited and having burnt into a flame. The shock of the explosion was distinctly felt in all the surrounding villages, and was considered by many persons to be the shock of an earthquake, and occasioned the greatest alarm. It is stated, that it was distinctly felt at a distance of seven miles and a half, and that it threw down an

outhouse, which was loosely built, at a distance of five miles from the place. The bodies of the killed were horribly mutilated, and the wounded in the infirmary presented a frightful appearance from the extensive injuries which they had received.

THE EXPLOSION ON THE BRISTOL RAILWAY.—Tuesday the inquest was held before the county Coroner, at the New Inn, Wickwar. On proceeding to the stable a sickening sight presented itself; there lay the remains of the two who were killed instantly; Jones was completely naked except his boots; one side of his face and the lower part of his body had been blown away, which gave rise to the belief that he had the barrel of powder in his arm when it exploded. The head of Stephens was a shapeless mass, and he was otherwise much injured. Bennett's body lay in a back kitchen, and was dreadfully injured. The first witness called was,

John Stephens, who said, I have been employed as a foreman under Mr. Brunel for nearly fifteen years, but am at present a subcontractor under Mr. Nowel; the injured men worked for me; on Friday evening, after work, I told James Jones, one of the men killed, who had charge of the powder, to put it in the blacksmith's shop, and take it out again on Monday morning before the men came to work; we have put it there frequently before on Saturday nights, for safety, as the door has a lock, and the key is kept by the banksman; on other nights the powder is left in the open air. On Monday morning, about a quarter before seven, I called from the shaft to see about some fresh horses, as the water was gaining on us; I went down to the blacksmith's shop, and saw several men there. I stopped about two minutes talking to my cousin Matthew Stephens, and then ran off to see for the horses. When I had gone about thirty-four yards I heard the explosion. It did not appear to me louder than the report of a fowling-piece. I turned, and saw something like a bundle of burning rags coming in the air towards me and fall within a yard and a half of where I stood. I took no notice of it, there being a rumbling noise that took my attention, and in about a second after a quantity of timber and stones fell around, but nothing struck me. At that instant I heard the cries of the poor fellows who were hurt, and afterwards found it was the body of Jones that had fallen by my side. There were nearly a hundred men at the spot in five minutes, and we rendered all the assistance in our power. We found that two were dead, and another died about two hours after. We brought them all here; and Mr. Roberts, the surgeon, attended them immediately. The only way I can account for the accident is, that Jones must have gone to work behind time, and that he was in the act of taking out the powder when it caught. When I was there I did not notice the powder, and thought it had been removed according to order; neither the blacksmith nor any of the men could have thought of its being there. They were all very sober men.

Two other witnesses were called, but nothing further was elicited, all who were present in the shop

having been either killed or taken to the infirmary. The inquest was then adjourned for ten days, when it was hoped some of them would be sufficiently recovered to attend.

The names of those dead are—Matthew Stephens, twenty-seven, single man; James Bennett, twenty-nine, wife near her confinement; and James Jones, twenty-seven, single.

Glass Coffin. — One of the workmen employed at a new glass house, erected at Mexborough, near Doncaster, having manufactured a glass coffin, has bequeathed it to a cousin who holds a situation in Guy's Hospital, in trust to enclose his body in it when he dies, in order that his cousin may see whether his corpse decays more rapidly than if he were in one of wood or lead! The coffin is made of clear glass a quarter of an inch thick, six feet two inches long, twenty-one inches across the shoulder, and fifteen inches deep. It is ornamented with the usual decorations of the "narrow house" in blue glass, with the name of the intended occupant on the lid!

APPENDIX TO CHRONICLE.

The MINISTRY, as it stood at the Meeting of the New Parliament, 19 Aug. 1841.

THE CABINET.

Viscount Melbourne	*First Lord of the Treasury.*
Lord Cottenham	*Lord Chancellor.*
Marquess of Lansdowne	*President of the Council.*
Earl of Minto	*First Lord of the Admiralty.*
Earl of Clarendon	*Lord Privy Seal.*
Right Hon. Sir G. Grey, Bart.	*Chan. of the Duchy of Lancaster.*
Viscount Duncannon	*First Commis. of Land Revenue.*
Marquess of Normanby	*Home Secretary.*
Viscount Palmerston	*Foreign Secretary.*
Lord John Russell	*Colonial Secretary.*
Rt. Hon. Sir John Cam Hobhouse	*President of the Board of Control.*
Rt. Hon. T. Babington Macaulay.	*Secretary-at-War.*
Right Hon. Henry Labouchere	*President of the Board of Trade and Master of the Mint.*
Rt. Hon. Francis Thornhill Baring	*Chancellor of the Exchequer.*
Viscount Morpeth	*Chief Secretary for Ireland.*

NOT OF THE CABINET.

Earl of Lichfield	*Postmaster-General.*
Hon. E. J. Stanley	*Paymaster-General of the Forces and Treasurer of the Navy.*
Lord Vivian	*Master General of the Ordnance.*
Colonel Fox	*Surveyor-General of the Ordnance.*
Hon. George Anson	*Clerk of the Ordnance.*
Captain Plumridge	*Storekeeper of the Ordnance.*
Right Hon. Fox Maule	*Vice-Pres. of the Board of Trade.*
Thomas Wyse, Esq.	*Lords of the Treasury.*
Henry Tufnell, Esq.	
Edward Horsman, Esq.	
Hon. W. F. Cowper	
Sir D. Le Marchant	*Joint Secretaries of the Treasury.*
M. O'Ferrall, Esq.	

Sir E. T. Troubridge Sir S. J. B. Pechell Lord Dalmeny Capt. J. W. Deans Dundas	*Lords of the Admiralty.*
John Parker, Esq.	*Secretary of the Admiralty.*
Lord Seymour	*Home Under-Secretary.*
Hon. W. T. F. Strangways	*Foreign Under-Secretary.*
Robt. Vernon Smith, Esq.	*Colonial Under-Secretary.*
Sir William Clay Charles Buller, Esq.	*Secretaries of the Board of Control.*
Sir Thomas Wilde	*Attorney-General.* *Solicitor-General.*
Right Hon. R. L. Sheil	*Judge-Advocate.*
Earl of Auckland	*Governor-General of India.*
Lord Sydenham	*Governor-General of Canada.*

IRELAND.

Earl Fortescue	*Lord Lieutenant.*
Lord Campbell	*Lord Chancellor.*
Viscount Morpeth	*Chief Secretary.*
Right Hon. David Richard Pigot	*Attorney-General.*
Richard Moore, Esq.	*Solicitor-General.*

SCOTLAND.

Andrew Rutherfurd, Esq.	*Lord Advocate.*
Thomas Maitland, Esq.	*Solicitor-General.*

HOUSEHOLD APPOINTMENTS.

Lord Chamberlain.—Earl of Uxbridge.
Vice-Chamberlain.—Earl of Belfast.
Mistress of the Robes.—Duchess of Sutherland.
Lord Steward.—Earl of Errol.
Treasurer of the Household.—Right Hon. George Stevens Byng.
Comptroller of the Household.—Rt. Hon. Lord Arthur M. C. Hill.
Captain of the Gentlemen at Arms.—Lord Foley.
Captain of the Yeomen of the Guard.—Earl of Surrey.
Master of the Horse.—Earl of Albemarle.
Master of the Buckhounds.—Lord Kinnaird.

The MINISTRY, as formed by Sir Robert Peel.

The Cabinet.

Right Hon. Sir Robert Peel, Bart.	*First Lord of the Treasury.*
Lord Lyndhurst	*Lord Chancellor.*
Lord Wharncliffe	*President of the Council.*
Earl of Haddington	*First Lord of the Admiralty.*
Duke of Buckingham*	*Lord Privy Seal.*
Rt. Hon. Sir James Graham, Bart.	*Home Secretary.*
Earl of Aberdeen	*Foreign Secretary.*
Lord Stanley	*Colonial Secretary.*
Lord Ellenborough †	*President of the Board of Control.*
Right Hon. Sir Henry Hardinge	*Secretary-at-War.*
Earl of Ripon	*President of the Board of Trade.*
Right Hon. Henry Goulburn	*Chancellor of the Exchequer.*
Rt. Hon. Sir Edw. Knatchbull, Bt.	*Paymaster-General.*
Lord Eliot	*Chief Secretary for Ireland.*
Duke of Wellington	(Without Office).

Not of the Cabinet.

Lord Lowther	*Postmaster-General.*
Lord Granville Somerset	*Chan. of the Duchy of Lancaster.*
Earl of Lincoln	*First Commiss. of Land Revenue.*
Right Hon. Sir George Murray	*Master General of the Ordnance.*
Colonel Jonathan Peel	*Surveyor-General of the Ordnance.*
Captain Boldero	*Clerk of the Ordnance.*
F. R. Bonham, Esq.	*Storekeeper of the Ordnance.*
Rt. Hon. William Ewart Gladstone	*Vice-President of the Board of Trade and Master of the Mint.*
J. Milnes Gaskell, Esq.	*Lords of the Treasury.*
H. B. Baring, Esq.	
Alexander Pringle, Esq.	
J. Young, Esq.	
Sir G. Clerk	*Joint Secretaries of the Treasury.*
Sir T. Fremantle	
Sir G. Cockburn	*Lords of the Admiralty.*
Admiral Sir W. Gage	
Sir G. F. Seymour	
Hon. Captain Gordon	
Hon. H. T. L. Corry	

* His Grace resigned January 31, and was succeeded by the Duke of Buccleuch.

† Lord Ellenborough accepted the Governor-Generalship of India, and was succeeded by Lord Fitzgerald and Vesci, Oct. 23.

Hon. Sidney Herbert	*Secretary of the Admiralty.*
Hon. J. H. T. M. Sutton . . .	*Home Under-Secretary.*
Lord Canning	*Foreign Under-Secretary.*
W. G. Hope, Esq.	*Colonial Under-Secretary.*
Hon. W. B. Baring	*Secretaries of the Board of Control.*
J. Emerson Tennent, Esq. . . .	
Sir Frederick Pollock	*Attorney-General.*
Sir William Webb Follett . . .	*Solicitor-General.*
Dr. Nicholl	*Judge Advocate.*
Lord Ellenborough	*Governor-General of India.*
Sir C. Bagot	*Governor-General of Canada.*

Ireland.

Earl De Grey	*Lord Lieutenant.*
Sir Edward Sugden	*Lord Chancellor.*
Lord Eliot	*Chief Secretary.*
Right Hon. Francis Blackburne .	*Attorney-General.*
Edward Pennefather, Esq. . . .	*Solicitor-General.*

Scotland.

Right Hon. Sir William Rae, Bart.	*Lord Advocate.*
Duncan M'Neil, Esq.	*Solicitor-General.*

Household Appointments.

Lord Chamberlain.—Earl De Lawarr.
Vice-Chamberlain.—Lord Ernest Bruce.
Mistress of the Robes.—Duchess of Buccleuch.
Lord Steward.—Earl of Liverpool.
Treasurer of the Household.—Earl Jermyn.
Comptroller of the Household.—Colonel the Right Hon. D. Damer.
Captain of the Gentlemen at Arms.—Lord Forester.
Captain of the Yeomen of the Guard.—Marquess of Lothian.
Master of the Horse.—Earl of Jersey.
Clerk Marshal.—Lord C. Wellesley.
Master of the Buckhounds.—Earl of Rosslyn.

GENERAL ELECTION.

A LIST of the MEMBERS returned from the respective Counties, Cities, Towns, and Boroughs, to the First Session of the Fourteenth Parliament of the United Kingdom of Great Britain and Ireland, appointed to meet at Westminster 19 August 1841, in the Fifth Year of the Reign of her Majesty Queen Victoria.

The names of the unsuccessful Candidates, printed in *italics*, and a statement of the Numbers polled, are also given.

England and Wales.

Abingdon	T. Duffield	
Andover	R. Etwall	131
	Lord W. Paget	112
	Sir J. W. Pollen	105
Anglesea	Hon. W. Stanley	
Arundel	Lord Fitzalan	
Ashburton	W. Jardine	
Ashton	C. Hindley	303
	— Harrop	254
Aylesbury	C. J. B. Hamilton	
	Rice Rich. Clayton	
Banbury	H. W. Tancred	124
	— Holbech	100
	H. Vincent	51
Barnstaple	F. Hodgson	361
	M. Gore	350
	Hon. J. Fortescue	346
	Sir J. P. B. Chichester	338
Bath	Viscount Duncan	1223
	J. A. Roebuck	1151
	Visc. Powerscourt	930
	W. H. L. Bruges	926
Beaumaris	F. Paget	
Bedfordshire	W. Astell	
	Lord Alford	
Bedford	Captain Polhill	433
	H. Stuart	421
	— Whitbread	410
Berkshire	R. Palmer	
	Visct. Barrington	
	P. Pusey	
Berwick	M. Forster	394
	R. Hodgson	343
	T. Weeding	335
Beverley	J. Towneley	531
	J. W. Hogg	529
	S. L. Fox	488
Bewdley	Sir T. Winnington	173
	R. Monteith	168
Birmingham	G. F. Muntz	2175
	J. Scholefield	1963
	— Spooner	1825
Blackburn	W. Feilden	441
	J. Hornby	427
	W. Turner	426
Bodmin	Hon. Major Vivian	224
	Earl of Leicester	142
	Sir S. T. Spry	135
Bolton	P. Ainsworth	664
	Dr. Bowring	607
	— Rothwell	532
	W. Bolling	444
Boston	J. S. Brownrigg	526
	Sir J. Duke	515
	— Wood	465
Bradford	J. Hardy	612
	W. C. Lister	540
	W. Busfield	536
Brecknockshire	Colonel T. Wood	
Brecknock	C. M. R. Morgan	
Bridgenorth	T. C. Whitmore	493
	Sir R. Pigot	477
	— Howard	221
	N. Throckmorton	1
Bridgewater	H. Broadwood	280
	T. S. Forman	276
	— Drewe	253
	— Robinson	248
Bridport	H. Warburton	304
	T. A. Mitchell	282
	W. B. Cochrane	244
Brighton	Captain Pechell	1445
	I. N. Wigney	1228

RESULTS OF THE POLLS AT THE GENERAL ELECTION.

(*Brighton con.*)	*Sir A. Dalrymple*	868
	— *Brooke*	4
Bristol	P. W. S. Miles	4193
	Hon. F. Berkeley	3739
	W. Fripp	3684
Bucks	Sir W. L. Young	2578
	C. G. Duprè	2569
	C. R. S. Murray	2547
	J. Lee	495
	H. M. Vane	450
Buckingham	Sir T. F. Fremantle	
	Sir J. Chetwode	
Bury	R. Walker	325
	— *Hardman*	288
Bury St. Edm.	Earl Jermyn	338
	Lord C. Fitzroy	310
	H. Twiss	296
	R. Alston, jun.	256
Calne	Earl of Shelburne	
Cambridgeshire	Hon. E. T. Yorke	
	R. J. Eaton	
	J. P. Allix	
Cambridge	Hon. C. M. Sutton	744
	Sir A. Grant	719
	R. Foster	694
	Lord C. Russell	659
Cambridge University	H. Goulburn	
	Hon. C. E. Law	
Canterbury	Hon. P. S. Smythe	813
	J. Bradshaw	723
	T. Hodges	716
Cardiff	Dr. Nicholl	
Cardiganshire	W. E. Powell	
Cardigan	P. Pryse	
	J. S. Harford	

Two members were returned by the returning officer, on account of the loss of a poll-book; neither can vote till after the report of a committee.

Carlisle	P. H. Howard	418
	W. Marshall	345
	Sergeant Goulburn	294
Carmarthensh.	Hon. G. R. Trevor	
	J. Jones	
Carmarthen	D. Morris	
Carnarvonshire	Hon. G. D. Pennant	
Carnarvon	W. B. Hughes	416
	Lord G. Paget	387
Chatham	G. S. Byng	456
	Lord Dufferin	234
Cheltenham	Hon. C. F. Berkeley	735
	A. Gardner	620
	Col. Thompson	0
Cheshire, North	W. T. Egerton	2782
	G. C. Legh	2652
	Hon. E. J. Stanley	2206
Cheshire, South	Sir P. Egerton	3110
	J. Tollemache	3034
	G. Wilbraham	2365
Chester	Lord R. Grosvenor	
	J. Jervis	
Chichester	Lord A. Lennox	
	J. A. Smith	
Chippenham	J. Neeld	165
	H. G. Boldero	128
	H. J. Lysley	96
Christchurch	Sir G. Rose	
Cirencester	W. Cripps	
	T. W. C. Master	
Clitheroe	M. Wilson	175
	— *Cardwell*	170
Cockermouth	H. A. Aglionby	129
	E. Horsman	127
	General Wyndham	100
Colchester	R. Sanderson	
	Sir G. H. Smyth	
Cornwall, West	E. W. Pendarves	
	Lord B. Rose	
Cornwall, East	Lord Eliot	2981
	W. Rashleigh	2781
	Sir W. Trelawney	1633
Coventry	W. Williams	1874
	Rt. Hon. E. Ellice	1830
	T. Weir	1283
Cricklade	J. Neeld	
	Hon. H. T. Howard	
Cumberland, West	E. Stanley	
	S. Irton	
Cumberland, East	Hon. G. Howard	2086
	W. James	1988
	— *Stephenson*	1906
Dartmouth	Sir J. H. Seale	
Denbighshire	Sir W. W. Wynn	
	Hon. W. Bagot	
Denbigh	T. Mainwaring	383
	T. Biddulph	309
Derbyshire, North	Hon. H. Cavendish	
	W. Evans	
Derbyshire, South	E. M. Mundy	3234
	C. R. Colvile	3209
	T. Gisborne	2403
	Lord Waterpark	2325
Derby	E. Strutt	874
	Hon. B. Ponsonby	783
	E. S. C. Pole	587
Devizes	T. H. J. Sotheron	
	G. H. W. Heneage	
Devonport	H. Tufnel	976
	Sir G. Grey	932
	G. R. Dawson	780
Devonshire, North	Sir T. D. Acland	
	L. W. Buck	
Devonshire, South	Sir J. Y. Buller	
	Visct. Courtenay	

RESULTS OF THE POLLS AT THE GENERAL ELECTION.

Dorchester	Sir J. Graham	
	Hon. A. H. Cooper	
Dorsetshire	Lord Ashley	
	G. Bankes	
	H. C. Sturt	
Dover	Sir J. R. Reid	995
	Hon. E. R. Rice	966
	Sergeant Halcomb	533
	A. Galloway	287
Droitwich	J. S. Pakington	
Dudley	T. Hawkes	436
	— *Smith*	189
Durham, North	H. Lambton	
	Hon. H. T. Liddell	
Durham, South	Lord H. G. Vane	2494
	J. Bowes	2424
	J. Farrer	1703
Durham	Captain Fitz Roy	
	T. C. Granger	
Essex, North	Sir J. T. Tyrrell	
	C. G. Round	
Essex, South	T. W. Bramston	2310
	G. Palmer	2330
	R. Alston	583
Evesham	Lord M. Hill	188
	P. Borthwick	161
	G. Rushout	137
Exeter	Sir W. W. Follett	1302
	E. Divett	1192
	Lord Lovaine	1119
Eye	Sir E. Kerrison	
Finsbury	T. Wakley	
	T. S. Duncombe	
Flint	Sir R. Bulkeley	
Flintshire	Hon. E. M. Mostyn	1236
	Sir S. R. Glynne	1193
Frome	T. Sheppard	143
	J. Sturch	125
Gateshead	W. Hutt	
Glamorgansh.	Viscount Adare	
	C. R. M. Talbot	
Gloucestershire, East	Hon. F. Charteris	
	C. W. Codrington	
Gloucestershire, West	Hon. G. C. Berkeley	
	R. B. Hale	
Gloucester	J. Philpotts	653
	Hn. Capt. Berkeley	646
	H. T. Hope	580
	— *Loftus*	391
Grantham	G. E. Welby	
	Hon. J. Tollemache	
Greenwich	Capt. D. Dundas	1747
	E. G. Barnard	1592
	Sir G. Cockburn	1274
Grimsby	E. Heneage	
Guildford	R. D. Mangles	242
	C. B. Wall	221
	Hon. Col. Scarlett	177
	H. Currie	161
Halifax	E. Protheroe	411
	C. Wood	384
	Sir G. Sinclair	319
Hampshire, North	C. S. Lefevre	
	Sir W. Heathcote	
Hampshire, South	J. W. Fleming	
	H. C. Compton	
Harwich	J. Attwood	94
	Major Beresford	94
	J. Bagshawe	83
	D. Le Marchant	74
Hastings	J. Planta	
	R. Hollond	
Haverfordwest	Sir R. B. Phillips	
Helstone	Sir R. R. Vyvyan	159
	W. R. Vigers	133
Herefordshire	K. Hoskins	
	J. Bailey, jun.	
	T. B. Baskerville	
Hereford	E. B. Clive	531
	H. W. Hobhouse	500
	D. D. H. Burr	308
Hertfordshire	Visct. Grimston	2585
	Hon. G. D. Ryder	2552
	A. Smith	2525
	R. Alston	1732
Hertford	Lord Mahon	
	Hon. W. Cowper	
Honiton	Colonel Baillie	
	F. A. M'Geachy	
Horsham	Hon. R. Scarlett	
Huddersfield	W. R. C. Stansfield	
Hull	Sir J. Hanmer	1844
	Sir W. James	1830
	James Clay	1761
	Colonel Thompson	1641
Huntingdonsh.	E. Fellowes	
	G. Thornhill	
Huntingdon	Colonel J. Peel	
	Sir F. Pollock	
Hythe	S. Marjoribanks	
Ipswich	R. Wason	659
	G. Rennie	657
	F. Kelly	611
	J. C. Herries	604
Kendal	G. W. Wood	
Kent, East	Sir E. Knatchbull	
	J. P. Plumptre	
Kent, West	Viscount Marsham	
	Sir E. Filmer	

RESULTS OF THE POLLS AT THE GENERAL ELECTION.

Kidderminster	R. Godson	209
	S. Ricardo	200
Knaresborough	A. Lawson	150
	W. B. Ferrand	122
	— *Sturgeon*	85
Lambeth	B. Hawes	2601
	C. T. D'Eyncourt	2558
	C. Baldwin	1999
	T. Cabbell	1763
Lancashire, North	Lord Stanley	
	J. W. Patten	
Lancashire, South	Lord F. Egerton	
	Hn. B. Wilbraham	
Lancaster	T. Greene	693
	G. Martyn	593
	— *Armstrong*	577
Launceston	Sir H. Hardinge	
Leeds	W. Beckett	2076
	W. Aldam	2043
	J. Hume	2033
	Viscount Jocelyn	1926
Leicestershire, North	Lord C. Manners	
	E. B. Farnham	
Leicestershire, South	H. Halford	2638
	C. W. Packe	2622
	T. Gisborne	1213
	— *Cheney*	1136
Leicester	W. Ellis	
	Sir J. Easthope	
Leominster	J. Wigram	
	C. Greenaway	
Lewes	S. Harford	411
	H. Elphinstone	409
	Hon. H. Fitzroy	407
	Viscount Cantalupe	388
Lichfield	Sir G. Anson	381
	Lord A. Paget	289
	— *Dyott*	281
Lincolnshire, North	Lord Worsley	5401
	R. A. Christopher	4522
	— *Cust*	3819
Lincolnshire, South	C. Turnor	4579
	Sir J. Trollope	4564
	H. Handley	2960
Lincoln	Colonel Sibthorp	541
	W. R. Collett	481
	Sir E. L. Bulwer	453
	— *Seeley*	340
Liskeard	C. Buller	
Liverpool	Viscount Sandon	5979
	C. Cresswell	5793
	Sir J. Walmsley	4647
	Visct. Palmerston	4431
London	J. Masterman	6339
	Sir M. Wood	6315
	G. Lyall	6290
	Lord J. Russell	6221
	W. Attwood	6212
London (contd.)	*J. Pattison*	6070
	W. Crawford	6065
	Alderman Pirie	6017
Ludlow	B. Botfield	222
	J. Ackers	219
	Colonel Salwey	156
Lyme	W. Pinney	123
	— *Hussey*	110
Lymington	J. Stewart	170
	W. A. Mackinnon	149
	— *Keppel*	106
Lynn	Lord G. Bentinck	
	Sir S. Canning	
Macclesfield	J. Brocklehurst	534
	T. Grimsditch	410
	— *Stocks*	327
Maidstone	A. J. B. Hope	765
	G. Dodd	725
	— *Salomons*	424
Maldon	Q. Dick	472
	J. Round	446
	— *Abdy*	413
Malmesbury	Hon. J. K. Howard	125
	— *Burton*	105
Malton	J. W. Childers	
	J. E. Denison	
Manchester	M. Philips	3702
	T. M. Gibson	3582
	Sir G. Murray	3116
	— *Entwisle*	2685
Marlborough	Lord E. Bruce	
	H. B. Baring	
Marlow	T. P. Williams	233
	Sir W. Clayton	170
	— *Hampden*	169
Marylebone	Sir B. Hall	4661
	Sir C. Napier	4587
	B. B. Cabbell	3410
	Sir J. Hamilton	3383
	W. V. Sankey	61
Merionethshire	R. Richards	
Merther Tydvil	Sir J. J. Guest	
Middlesex	G. Byng	
	T. Wood	
Midhurst	Sir H. B. Seymour	
Monmouthshire	Lord G. Somerset	
	C. O. S. Morgan	
Monmouth	R. J. Blewitt	
Montgomerysh.	C. W. W. Wynn	
Montgomery,	Hn. H. Cholmondeley	463
	Sir J. Edwards	437
Morpeth	Hn. G. G. Howard	
Newark	Lord J. Manners	633
	W. E. Gladstone	630
	T. B. Hobhouse	380

RESULTS OF THE POLLS AT THE GENERAL ELECTION.

Newcastle-under-Line	E. Buckley	727
	J. Q. Harris	565
	W. H. Miller	417
Newcastle-upon-Tyne	W. Ord	
	J. H. Hinde	
Newport	C. W. Martin	254
	W. J. Hamilton	252
	F. Gisborne	229
	W. J. Blake	226
Norfolk, East	H. N. Burroughes	3737
	E. Wodehouse	3498
	Sir W. B. Folkes	1379
Norfolk, West	W. Bagge	
	W. L. W. Chute	
Northallerton	W. B. Wrightson	128
	— Lascelles	114
Northampton-shire, North	T. P. Maunsell	
	A. O'Brien	
Northampton-shire, South	Sir C. Knightley	2324
	W. R. Cartwright	2426
	Earl of Euston	925
Northampton	R. V. Smith	981
	R. Currie	970
	Sir H. Willoughby	884
	P. MacDouall	170
Northumber-land, North	Lord Ossulston	1214
	A. J. B. Cresswell	1163
	Viscount Howick	1101
Northumber-land, South	M. Bell	
	S. H. Ogle	
Norwich	B. Smith	
	Marquess of Douro	
Nottingham-shire, North	T. Houldsworth	
	H. G. Knight	
Nottingham-shire, South	Earl of Lincoln	
	Colonel Rolleston	
Nottingham	Sir D. H. Larpent	529
	Sir J. C. Hobhouse	527
	John Walter	144
	T. B. Charlton	142
Oldham	J. Fielden	
	General Johnson	
Oxfordshire	Lord Norreys	
	G. G. V. Harcourt	
	J. W. Henley	
Oxford	J. H. Langston	1399
	D. Maclean	1291
	— Malcolm	1071
Oxford University	Sir R. H. Inglis	
	T. G. B. Estcourt	
Pembrokeshire	Viscount Emlyn	
Pembroke	Sir J. Owen	246
	Colonel Owen	172
	Captain Child	84
Penryn	Hon. C. W. Vivian	462
	Captain Plumridge	432
	— Gwyn	388
	— Sartoris	240
Peterborough	Hn. W. Fitzwilliam	318
	Sir R. Heron	255
	T. Gladstone	245
Petersfield	Sir G. H. Jolliffe	
Plymouth	T. Gill	821
	Visct. Ebrington	787
	Alderman Johnson	532
Pontefract	Visct. Pollington	464
	R. M. Milnes	453
	J. Gully	253
Poole	Hon. C. Ponsonby	231
	G. Phillips	211
	Captain Rose	189
Portsmouth	F. T. Baring	
	Sir G. T. Staunton	
Preston	Sir P. H. Fleetwood	1658
	Sir G. Strickland	1637
	R. T. Parker	1266
	C. Swainson	1251
Radnorshire	Sir J. B. Walsh	973
	Lord Harley	504
Radnor	R. Price	
Reading	C. Russell	576
	Viscount Chelsea	564
	T. Mills	409
	W. Tooke	396
Reigate	Viscount Eastnor	106
	Dr. Bedford	9
Retford, East	Hon. A. Duncombe	
	G. H. Vernon	
Richmond	Hon. J. C. Dundas	
	Hon. R. Colborne	
Ripon	Sir E. Sugden	
	T. Pemberton	
Rochdale	W. S. Crawford	399
	J. Fenton	338
Rochester	J. D. S. Douglas	539
	W. H. Bodkin	497
	Viscount Melgund	495
	T. Dashwood	488
Rutlandshire	G. J. Heathcote	767
	Hon. H. Dawnay	676
	Hon. C. G. Noel	664
Rye	H. B. Curteis	262
	C. H. Frewen	108
Salford	J. Brotherton	990
	J. Garnet	873
Salisbury	W. Wyndham	361
	W. B. Brodie	292
	— Ashley	231
St. Alban's	G. W. J. Repton	288
	Earl of Listowel	258
	— Worley	251
	G. A. Musket	150
St. Ives	W. T. Praed	272
	T. Ley	268

RESULTS OF THE POLLS AT THE GENERAL ELECTION.

Salop, North	Sir R. Hill	
	W. O. Gore	
Salop, South	Hon. R. H. Clive	
	Earl of Darlington	
Sandwich	Sir T. Troubridge	
	H. H. Lindsay	
Scarborough	Sir J. Johnstone	295
	Sir F. Trench	253
	Colonel Phipps	235
Shaftesbury	Lord Howard	219
	Captain Mathew	202
Sheffield	J. Parker	1847
	H. G. Ward	1805
	— *Urquhart*	504
	— *Sheppard*	459
Shoreham	Sir C. M. Burrell	959
	C. Goring	856
	Lord E. Howard	673
Shrewsbury	G. Tomline	791
	B. D'Israeli	786
	Sir L. Parry	599
	— *Temple*	576
Somersetshire, East	W. G. Langton	
	W. Miles	
Somersetshire West	T. D. Acland	
	F. H. Dickinson	
Southampton	C. C. Martyn	645
	Lord Bruce	648
	R. Mangles	553
	R. Hutchins	556
South Shields	J. T. Wawn	241
	R. Ingham	203
	— *Fyler*	37
Southwark	J. Humphery	
	B. Wood	
Staffordshire, North	J. D. W. Russell	
	C. B. Adderley	
Staffordshire, South	Colonel Anson	
	Viscount Ingestre	
Stafford	Hn. S. T. Carnegie	681
	E. Buller	587
	W. Holmes	339
Stamford	Sir G. Clerk	
	Marq. of Granby	
Stockport	H. Marsland	569
	R. Cobden	543
	Thos. Marsland	351
Stoke-upon-Trent	J. L. Ricardo	894
	W. T. Copeland	645
	Hon. J. D. Ryder	465
Stroud	W. H. Stanton	594
	G. P. Scrope	527
	— *Wraxall*	377
Sudbury	F. Villiers	284
	D. O. D. Sombrè	281
	C. Taylor	271
	D. Jones	271
Suffolk, East	Lord Henniker	3280
	Sir C. B. Vere	3181
	A. S. Adair	1780
Suffolk, West	Col. Rushbrooke	
	H. S. Waddington	
Sunderland	Ald. Thompson	
	D. Barclay	
Surrey, East	H. Kemble	
	E. Antrobus	
Surrey, West	W. J. Denison	
	J. Trotter	
Sussex, East	G. Darby	2398
	A. Fuller	2367
	J. P. Shelley	995
Sussex, West	Earl of March	
	Colonel Wyndham	
Swansea	J. H. Vivian	
Tamworth	Sir R. Peel	366
	Captain A'Court	241
	Captain Townsend	147
Taunton	H. Labouchere	430
	E. T. Bainbridge	410
	W. Wilberforce	382
	— *Hall*	218
Tavistock	Lord E. Russell	
	J. Rundle	
Tewkesbury	W. Dowdeswell	192
	J. Martin	187
	J. Easthope, jun.	181
Thetford	Hon. W. B. Baring	86
	Earl of Euston	71
	Sir J. Flower	71

Double return. Neither of the latter two can vote till after report of committee thereon.

Thirsk	J. Bell	
Tiverton	J. Heathcoat	
	Visct. Palmerston	
Totness	Lord Seymour	
	C. B. Baldwin	
Tower Hamlets	Sir W. Clay	4706
	Colonel Fox	4096
	G. R. Robinson	2183
	J. Hutchinson	1775
	P. Thompson	831
Truro	E. Turner	
	J. E. Vivian	
Tynemouth	H. Mitcalfe	295
	W. Chapman	218
Wakefield	J. Holdsworth	328
	Hn. W. S. Lascelles	300
Wallingford	W. S. Blackstone	
Walsall	R. Scott	334
	J. N. Gladstone	311
Wareham	W. E. Drax	211
	J. H. Calcraft	187
Warrington	J. I. Blackburne	

RESULTS OF THE POLLS AT THE GENERAL ELECTION.

Warwickshire, North	W. S. Dugdale	
	Sir E. Wilmot	
Warwickshire, South	Sir J. Mordaunt	
	E. J. Shirley	
Warwick	W. Collins	
	Sir C. Douglas	
Wells	W. G. Hayter	
	R. Blakemore	
Wenlock	Hon. W. Forester	
	J. M. Gaskell	
Westbury	Sir R. Lopes	
Westminster	Hon. Captain Rous	3338
	J. T. Leader	3281
	Sir De Lacy Evans	3258
Westmoreland	Viscount Lowther	
	Hon. H. Lowther	
Weymouth	Viscount Villiers	259
	G. W. Hope	257
	R. Bernal	254
	W. D. Christie	253
Whitby	A. Chapman	
Whitehaven	M. Attwood	
Wigan	P. Greenall	273
	T. B. Crosse	268
	C. Standish	264
	P. Grenfell	263
Wight, Isle of	Hn. W. A'C. Holmes	
Wilton	Visct. Fitzharris	
Wiltshire, Nth.	Sir F. Burdett	
	W. Long	
Wiltshire, Sth.	Hon. S. Herbert	
	J. Benett	
Winchester	J. B. East	318
	B. Escott	291
	R. B. Crowder	189
	F. Pigott	159
Windsor	J. Ramsbottom	316
	R. Neville	311
	W. F. Fergusson	265
	Sir J. De Beauvoir	130
Wolverhampton	Hon. C. P. Villiers	
	T. Thornely	
Woodstock	F. Thesiger	
Worcestershire, East	J. Barneby	
	J. A. Taylor	
Worcestershire, West	Hon. H. B. Lygon	
	F. W. Knight	
Worcester	Sir T. Wilde	1187
	J. Bailey	1173
	— Hardy	875
Wycombe	G. H. Dashwood	189
	R. Bernal, jun.	159
	J. A. Freshfield	130
	R. Alexander	80
Yarmouth	W. Wilshere	941
	C. E. Rumbold	940
	— Somers	481
	T. Baring	471
Yorkshire, N.	Hon. W. Duncombe	
	E. S. Cayley	
Yorkshire, E.	H. Broadley	
	Lord Hotham	
Yorkshire, W.	Hon. S. Wortley	13,165
	E. Denison	12,780
	Lord Milton	12,080
	Lord Morpeth	12,031
York	J. H. Lowther	1625
	H. R. Yorke	1552
	Sergeant Atcherly	1456

SCOTLAND.

Aberdeen	A. Bannerman	780
	— Innes	513
	— Lewrey	30
Aberdeenshire	Hon. W. Gordon	
Argyleshire	Campbell of Monzie	
Ayrshire	Viscount Kelburne	
Ayr Burghs	Lord H. C. Stuart	
Banffshire	J. Duff	316
	Lord Reidhaven	273
Berwickshire	Sir P. H. Campbell	
Buteshire	Sir W. Rae	138
	— Dunlop	82
Caithness-shire	G. Traill	
Clackmannan & Kinross	Hn. R. Abercromby	
Dumbartonshire	A. Smollett, jun.	
Dumfriesshire	J. H. Johnstone	
Dumfries	W. Ewart	412
	Sir A. Johnstone	351
Dundee	G. Duncan	577
	J. B. Smith	445
Edinburgh	T. B. Macaulay	
	W. G. Craig	
Edinburghshire	W. R. Ramsay	
Elgin & Nairn	C. L. C. Bruce	354
	General Duff	161
Elgin Burghs	Sir A. L. Hay	311
	T. Duff	297
Falkirk	W. Baird	462
	W. D. Gillon	411
Fifeshire	Capt. J. Wemyss	
Forfarshire	Lord J. F. Gordon	

RESULTS OF THE POLLS AT THE GENERAL ELECTION.

Glasgow	J. Oswald	2776
	J. Dennistoun	2728
	— *Campbell*	2410
	G. Mills	355
Greenock	R. Wallace	406
	Sir T. Cochrane	309
Haddingtonsh.	Sir T. Hepburn	
Hadd. Burghs.	J. M. Balfour	273
	R. Stewart	264
Invernesshire	H. J. Baillie	
Inverness	J. Morrison	
Kilmarnock	A. Johnstone	490
	J. C. Colquhoun	479
Kincardineshire	Hon. H. Arbuthnot	
Kirkaldy	Colonel Ferguson	
Kirkcudbright-shire	A. Murray	672
	— *Maxwell*	249
Lanarkshire	W. Lockhart	
Leith	A. Rutherford	
Linlithgowshire	Hon. C. Hope	
Montrose	P. Chalmers	
Orkney	F. Dundas	
Paisley	A. Hastie	
Peeblesshire	W. F. Mackenzie	
Perthshire	H. H. Drummond	
Perth	Rt. Hon. F. Maule	356
	— *Black*	227
Renfrewshire	P. M. Stewart	959
	Colonel Mure	945
Ross and Cromarty	T. Mackenzie	
Roxburghshire	Hon. F. Scott	830
	Hon. J. E. Elliot	748
Selkirkshire	A. Pringle	
St. Andrew's	E. Ellice, jun.	366
	T. Mackgill	258
Stirlingshire	W. Forbes	1019
	Sir M. Bruce	895
Stirling Burghs	Lord Dalmeny	438
	— *Aytoun*	419
Sutherlandshire	D. Dundas	
Wick Burghs	J. Loch	270
	— *Dempster*	189
Wigtonshire	Captain Dalrymple	403
	J. Blair	397
Wigton Burghs	Sir J. M'Taggart	157
	Colonel Agnew	129

IRELAND.

Antrim	N. Alexander	
	J. Irving	
Armagh, Co.	Viscount Acheson.	
	Colonel Verner	
Armagh	Colonel Rawdon	
Athlone	Captain Beresford	30
	— *Farell*	17
Bandon	J. D. Jackson	
Belfast	J. E. Tennent	927
	W. G. Johnson	913
	Earl of Belfast	821
	D. Ross	792
Carlow County	Colonel Bruen	706
	T. Bunbury	705
	J. A. Yates	696
	D. O'Connell, jun.	695
Carlow	Captain Layard	
Carrickfergus	P. Kirk	
Cashel	J. Stock	
Cavan	J. Young	
	Colonel Clements	
Clare	W. N. Macnamara	1111
	C. O'Brien	1107
	— *Vandeleur*	222
Clonmel	Rt. Hon. R. Pigot	
Coleraine	E. Litton	
Cork County	D. O'Connell	1274
	E. B. Roche	1274
	— *Leader*	406
	M. Longfield	357
Cork	F. S. Murphy	1486
	D. Callaghan	1464
	Colonel Chatterton	1017
	— *Morris*	131
Donegal	Sir E. S. Hayes	
	E. M. Conolly	
Downshire	Visct. Castlereagh	
	Lord Hillsborough	
Downpatrick	D. Kerr	
Drogheda	Sir W. Somerville	
Dublin County	J. H. Hamilton	1051
	E. Taylor	1042
	Lord Brabazon	1009
	G. Evans	1006

RESULTS OF THE POLLS AT THE GENERAL ELECTION.

Dublin	J. B. West	3860
	E. Grogan	3839
	D. O'Connell	3692
	R. Hutton	3662
Dublin Univ.	Rt. Hon. F. Shaw	
	Rt. Hon. T. Lefroy	
Dundalk	T. N. Redington	
Dungannon	Visct. Northland	56
	J. Falls	52
Dungarvon	Rt. Hon. R. L. Shiel	
Ennis	H. Bridgeman	
Enniskillen	Hon. A. H. Cole	
Fermanagh	M. Archdall	
	Sir A. B. Brooke	
Galway County	J. J. Bodkin	
	T. Martin	
Galway	M. J. Blake	
	Sir V. Blake	
Kerry	Hon. W. Browne	751
	M. J. O'Connell	744
	A. Blennerhasset	445
	J. Hickson	37
Kildare	R. M. O'Ferrall	
	R. Archbold	
Kilkenny Co.	Hon. P. Butler	
	G. Bryan	
Kilkenny	J. O'Connell	
King's County	Sir A. Armstrong	
	Hon. J. Westenra	
Kinsale	W. H. Watson	98
	W. Attwood	82
Leitrim	S. White	
	Lord Clements	
Limerick Co.	C. Powell	
	W. S. O'Brien	
Limerick	Sir D. Roche	
	J. O'Brien	
Lisburn	Capt. H. Meynell	
Londonderry County	Sir R. Bateson	
	Capt. T. Jones	
Londonderry	Sir R. Ferguson	
Longford	L. White	631
	H. White	621
	A. Lefroy	482
Louth	R. M. Bellew	447
	Hon. T. V. Dawson	430
	— *Fortescue*	358
	J. MacClintock	4
Mallow	Sir D. O. J. Norreys	108
	M. Longfield	52
Mayo	M. Blake	
	R. D. Browne	
Meath	D. O'Connell	
	H. Grattan	
Monaghan	Hon. H. Westenra	
	E. P. Shirley	
New Ross	Hon. R. Gore	
Newry	Viscount Newry & Morne	519
	Sir J. M. Doyle	237
Portarlington	Hon. L. D. Damer	
Queen's County	Sir C. H. Coote	
	Hon. T. Vesey	
Roscommon	F. French	
	The O'Connor Don	
Sligo County	Colonel Perceval	
	W. R. O. Gore, jun.	
Sligo	J. P. Somers	
Tipperary	V. Maher	1053
	Hon. R. O. Cave	1042
	W. P. Barker	427
	Hon. C. Maude	380
Tralee	M. O'Connell	
Tyrone	Rt. Hon. L. Corry	
	Lord C. Hamilton	
Waterford Co.	W. V. Stuart	
	Hon. R. S. Carew	
Waterford	W. Christmas	286
	W. M. Reade	259
	H. W. Barron	202
	T. Wyse	199
Westmeath	H. M. Tuite	
	B. Chapman	
Wexford Co.	V. F. Hatton	873
	J. Power	859
	G. Morgan	450
	S. C. Hall	1
Wexford	Sir T. Esmonde	145
	— *Bourne*	101
Wicklow	Colonel Acton	663
	Sir R. Howard	603
	J. Grattan	563
Youghall	Hon. C. Cavendish	

SHERIFFS FOR THE YEAR 1841.

Bedfordshire	Arthur Macnamara, of Eaton Bray, Esq.
Berkshire	John Jesse Bulkeley, of Lindon Hill, Esq.
Bucks	Thomas Newland Allen, of the Vache, Chalfont St. Giles, Esq.
Cambridge and Huntingdonshire	Joseph Marshall, of Elm, Esq.
Cheshire	John Ryle, of Henbury Hall, Esq.
Cornwall	John Hornbrook Gill, of Bickham, Esq.
Cumberland	James Robertson Walker, of Gilgarron, Esq.
Derbyshire	John Bruno Bowdon, of Southgate House, Esq.
Devonshire	William Arundell Harris Arundell, of Lifton Park, Esq.
Dorsetshire	Sir Richard Plumptre Glyn, of Gaunts House, Bart.
Durham	William Russell, of Brancepeth Castle, Esq.
Essex	John Archer Houblon, of Great Hallingbury Place, Esq.
Gloucestershire	James Woodbridge Walters, of Barnwood House, Esq.
Herefordshire	Robert Lane, of Ryelands, Esq.
Hertfordshire	Robert William Gaussen, of Brookmans, Esq.
Kent	De La Mark Banks, of Sheppy Court, Minster, Esq.
Lancaster	Sir Thomas B. Birch, of the Hazels, Bart.
Leicestershire	Richard Mitchell, of Enderby, Esq.
Lincolnshire	Sir John Charles Thorold, of Syston Park, Bart.
Monmouthshire	Samuel Homfray, of Bedwelty, Esq.
Norfolk	Sir John Jacob Buxton, of Shadwell Lodge, Bart.
Northamptonshire	Sir Robert Henry Gunning, of Horton, Bart.
Northumberland	Sir Matthew White Ridley, of Blagdon, Bart.
Nottinghamshire	Henry Smith, of Wilford, Esq.
Oxfordshire	John Loveday, of Williamscote, Esq.
Rutlandshire	Joseph Tomblin, of Leighfield, Esq.
Shropshire	The Hon. Gustavus Fred. Hamilton, of Burwarton.
Somersetshire	William Francis Knatchbull, of Babington, Esq.
Southampton	Horatio Francis Kingsfort Holloway, of Marchwood Lodge, Southampton, Esq.
Staffordshire	Thomas Cartwright, of Hill Hall, Esq.
Suffolk	Sir Joshua Ricketts Rowley, of Tendring Hall, Bart.
Surrey	William Leveson Gower, of Testy Place, Oxtead, Esq.
Sussex	Sir Richard Hunter, of Patching, Knt.
Warwickshire	Kelynge Greenway, of Warwick, Esq.
Westmoreland	Earl of Thanet, *Hereditary*.
Wiltshire	Ambrose Hussey, of Salisbury, Esq.
Worcestershire	Thomas Charles Hornyold, of Blackmore Park, Esq.
Yorkshire	Frederick William Thomas Vernon Wentworth, of Wentworth Castle, Esq.

SOUTH-WALES.

Breconshire	William Hibbs Bevan, of Glannant, Esq.
Cardiganshire	David Davies, of Cardigan, Esq.

Carmarthenshire	John Walters Philipps, of Aberglasney, Esq.
Glamorganshire	Joseph Martin, of Ynistawe, Esq.
Pembrokeshire	George Roch, of Butterhill, Esq.
Radnorshire	Edward Breeze, of Knighton, Esq.

NORTH-WALES.

Angleseyshire	Richard Trygarn Griffith, of Garreglwyd, Esq.
Carnarvonshire	David White Griffith, of Hafodydd-Brithion, Esq.
Denbighshire	Henry Ellis Boates, of Rose Hill, Wrexham, Esq.
Flintshire	Llewelyn Lloyd, of Pontriffith, Esq.
Merionethshire	John Williams, of Bron Eryri, Esq.
Montgomeryshire	John Vaughan, of Rhôs Brynbwa, Esq.

IRELAND.

Antrim	Conway Dobbs, of Castle Dobbs, Esq.
Armagh	John Whaley, of Downay House, Esq.
Carlow	Harman H. Cooper, of Shrule Castle, Esq.
Cavan	Mervyn Pratt, of Cabra Castle, Esq.
Clare	Hugh O'Loghlin, of Port Ennis, Esq.
Cork	James Barry, of Ballyclough, Esq.
Donegal	Hon. James Hewitt, of Munglass, Esq.
Down	David Stewart Ker, of Fortavo, Esq.
Dublin	John Jas. Bagot, of Castle Bagot, Esq.
Fermanagh	—— Johnstone, Esq.
Galway	Andrew William Blake, of Furbs, Esq.
Kerry	Daniel Mahony, of Castlequin, Esq.
Kildare	Richard Maunsell, of Oakley Park, Esq.
Kilkenny	John Power, of Sion, Esq.
King's County	Garrett O'Moore, of Cloghan Castle, Esq.
Leitrim	Nicholas L. Tottenham, of Glenfarm, Esq.
Londonderry	John Chambers and J. M. Dysart, Esqrs.
Limerick	James Kelly, of Ballynantz, Esq.
Longford	Henry Musters, of Bryanstown, Esq.
Louth	Blaney Balfour, jun. of Towneley Hall, Esq.
Mayo	Hon. Geoffrey Brown, of Castle McGarrett, Esq.
Meath	John Tisdall, of Charlesfort, Esq.
Monaghan	Thomas Rothwell, of Chantonu, Esq.
Queen's County	William Wellesley Despard, of Donore, Esq.
Roscommon	Denis Mahon, of Strokestown House, Esq.
Sligo	John Martin, of Sligo, Esq.
Tipperary	Thomas E. Lalor, of Cregg, Esq.
Tyrone	Charles Boyle, of Rock Cootehill, Esq.
Waterford	John Power, of Gurteen, Esq.
Westmeath	Cuthbert Fetherston, of Dardistown, Esq.
Wexford	Thomas Boyse, of Bannow, Esq.
Wicklow	John Synge, of Glenmore Castle, Esq.

BIRTHS.

1840.

NOVEMBER.

12. At Normanby, the Countess of Sheffield, a daughter.

16. At the Vicarage, Kenilworth, the Hon. Mrs. Montague Villiers, a son.

— The wife of the Rev. J. J. Blunt, D. D., Margaret Professor of Divinity, a daughter.

21. At Sible Hedingham, Essex, the wife of the Rev. Charles Burney, a son.

23. At Naples, the Hon. Mrs. Adeane, a daughter.

29. At Cumberland-place, the Hon. Lady Butler, a son and heir.

30. At Shobden-court, Herefords, the Right Hon. Lady Bateman, a daughter.

— In Park-street, Grosvenor-square, Lady Graham, a daughter.

DECEMBER.

1. At Swillington-house, Yorkshire, the wife of C. Lowther, esq., a son.

4. At Brighton, the Countess Cowper, a daughter.

7. The Countess of Arran, a son.

10. In Grosvenor-sq., the Countess of Carnarvon, a daughter.

18. At Haughley, Suffolk, the Lady of the Rev. Sir Augustus Henniker, Bart., a daughter.

20. At her residence in St. James's-square, the Countess of Lichfield, a son.

26. At Rome, the Lady of Sir A. Y. Spearman, Bart., a son.

27. At Shirley-house, Hants, the wife of Major-General Sleigh, a son.

28. In Upper Harley-street, the Hon. Mrs. Kenyon, a son.

29. In Serle-street, Mrs. Spencer Walpole, a daughter.

— At Waldershare, the Countess of Guildford, a son.

1841.

JANUARY.

10. At the Cottage, Taplow, the hon. Mrs. Fitzmaurice, a daughter.

— At Southampton, the widow of H. G. Carey, esq., of Tor Abbey, a daughter.

11. At Gunton-park, Norfolk, the Hon. Mrs. Sanderson, a daughter.

— At Bath, the wife of Lieut.-Col. Swinton, a son.

15. In St. James's-square, the Lady Stanley, a son.

17. At Bishop-grove the wife of the Bishop of Ripon, a son.

19. At Brightwell Park, Oxford, the wife of W. Lowndes, esq., a daughter.

— At Haseley-house, Oxford, the wife of Hugh Hammersley, esq., a son.

— At Imhurst-house, Berks, the wife of Thomas Kirby, esq., a daughter.

20. At Umberslade, Mrs. Bolton King, a daughter.

21. At Holgate-house, near York, the lady of the Hon. W. Stourton, a son.

— At Brighton, the Lady Jane Laurence Peel, a daughter.

22. At Knightsbridge, the wife of Lieut.-Col. the Hon. C. B. Phipps, a daughter.

— At Luffness, East Lothian, the Hon. Mrs. George Hope, a son.

— At the Priory, Tunbridge Wells, the wife of Captain Wm. O'Grady Haly, a son and heir.

23. At Stoke Damerel, Devon, the wife of W. Woolby Cavie, esq., a son and heir.

— In Park-street, Grosvenor-square, the Hon. Mrs. Butler Johnstone, of Corehead, a son.

— At Stubbings, near Maidenhead, the wife of Walter Rice Howell Powell, esq., of Malsgwynne, Carmarthenshire, a daughter.

25. At Bath, the wife of John Deverell, esq., a son and heir.

27. At Boxley-house, Kent, the Lady Margaret Marsham, a son and heir.

28. At Clifton, the wife of Major-Gen. Berkeley, a son.

30. At Sneaton Castle, the wife of Charles Saunders, esq., a daughter.

31. At Sedbury Park, the wife of Roper D. R. Roper, esq., of Heighington, county Durham, a son.

— At Adlington Hall, Cheshire, the wife of the Hon. and Rev. Augustus Cavendish, a son.

FEBRUARY.

1. At Hatton, Middlesex, Lady Pollock, a son.

5. At Glevering-hall, Suffolk, the Hon. Mrs. Vanneck, a daughter.

BIRTHS.

11. In Hertford-street, Mayfair, the Lady R. Greville, a son and heir.

26. At Kotaghery, the wife of the Lord Bishop of Madras, a daughter.

MARCH.

1. At Tothill, Plymouth, the wife of the Rev. Sir J. H. Seymour, Bart., a daughter.

— At Spencer-house, St. James's-place, the wife of the Hon. R. Watson, a son.

15. The wife of the Rev. C. Montagu Doughty, of Theberton-hall, Suffolk, a son and heir.

— At Clifton, the wife of B. T. Gaskin Anderson, esq., of Tushielaw, a son and heir.

16. The wife of H. N. Goddard, esq. of Purton-house, Wilts, a daughter.

— In Charles-street, Berkeley-sq., the Countess of Craven, a son.

18. At Malone-house, Antrim, the wife of William Wallace Legge, esq., a son and heir.

19. At Dane-court, Kent, the wife of Edward Rice, esq., M.P. a daughter.

20. At Netherseal-hall, Leicester, the wife of the Rev. Sir W. Nigel Gresley, Bart., a daughter.

22. In Devonshire-place, the wife of W. Selby Lowndes, esq., a daughter.

23. At Cawston Rectory, the wife of the Rev. A. S. L. Bulwer, a son.

— At Fawdon, Mrs. Lambton Loraine, a son.

25. At the Rectory, Henley, the Hon. Mrs. King, a son.

27. At the Vicarage, East Brent, Somersetshire, the Hon. Mrs. W. T. Law, a son.

28. The wife of I. I. Wakehurst Peyton, esq., of Wakehurst-place, and the Grove, Sussex, a son and heir.

APRIL.

2. At Ashbourn-hall, Derbyshire, the wife of the Hon. and Rev. Charles Dundas, a daughter.

6. In Portman-square, the wife of Charles Wynne, esq., jun., a son.

10. In Connaught-place, Viscountess Bernard, a daughter.

11. The wife of the Rev. C. J. Fynes Clinton, Rector of Cromwell, Notts, a son.

13. At Seend, Wilts, the wife of W. H. L. Bruge esq., M.P. a daughter.

17. At Rome, the Lady of Sir George Baker, Bart., a son and heir.

18. At Hilston-house, Monmouthshire, the wife of George Cave, esq., a daughter.

22. At the Rectory, Ewell, the lady of the Rev. Sir George L. Glynn, Bart., Vicar of Ewell, a son.

24. At Everingham Park, Yorkshire, the wife of Wm. Constable Maxwell, esq., a son.

— At Mangotsfield-house, the wife of T. P. Peterson, esq., a daughter.

MAY.

6. In Hamilton-place, the Countess of Eldon, a daughter.

11. At Colombo, the wife of the Hon. P. Anstruther, Colonial Secretary, a son.

24. The wife of the Rev. Gilbert Ainslie, D. D., Master of Pembroke-college, Cambridge, a son.

JUNE.

7. The wife of E. B. Lamont, esq., of the Priory, Chewton Mendip, Somerset, a daughter.

16. At Pull-court, Worcester, the wife of William Dowdeswell, esq., M. P., a son and heir.

13. The Hon. Mrs. Boyle, a son.

19. In Upper Grosvenor-street, Viscountess Folkestone, a son and heir.

26. At the Deanery, the wife of the very Rev. Dr. Merrewether, Dean of Hereford, a son.

JULY.

7. At Dudley-house, Park-lane, the Marchioness of Abercorn, a daughter.

14. At Williamstrip Park, Gloucestershire, the Lady of Sir Michael H. Hicks Beach, a son.

22. The wife of Arthur Annesley, esq. of Clifford Lodge, near Stratford-on-Avon, a son.

AUGUST.

3. At Bromley, the wife of Sir George Simpson, a daughter.

5. At Gore House, Kensington, Lady Louisa, widow of Sir Frederick G. Johnstone, Bart., twin sons.

6. At Ankerwycke-house, Bucks, Mrs. Hancourt, a son.

BIRTHS.

— At Eslington-house, Northumberland, the Hon. Mrs. K. T. Liddell, a son and daughter.

7. At Wanlip-hall, Leicestershire, the lady of G. Palmer, Bart., a son.

10. At Luton, the Hon. Mrs. Macleod, of Macleod, a son.

12. In Eaton-place, the lady of Sir John Rae Reid, Bart., M.P., a son.

14. At Beckenham, Kent, the wife of Herbert Jenner, esq., a son and heir.

19. At Worlingham-hall, Viscountess Acheson, a son and heir.

23. At Bradley-hall, Lancashire, the wife of Prideaux Selby, esq., a son and heir.

29. In Euston-square, the wife of the Ven. Archdeacon Robinson, a daughter.

— At Baron-hill, Lady William Bulkeley, a son.

31. At Devonshire-street, Portland-place, Mrs. Moreton Dyer, a son.

SEPTEMBER.

3. The Lady of Gordon Willoughby Gyll, esq., of Wimpole-street, of a son and heir, since christened Flemyng George. [Also on the 5th of May, 1840, the same lady of a daughter.]

4. In Hanover-square, Lady Mary Hood, a daughter.

5. The lady of the Lord Bishop of Salisbury, a daughter.

11. At Norwich, the lady of the Hon. H. Manners Sutton, a daughter.

13. At Pittleshall Rectory, Norfolk, the wife of the Rev. Kenelm H. Digby, a daughter.

16. At Hithergreen, Lewisham, the Hon. Mrs. Spring Rice, a daughter.

18. In Grosvenor-crescent, the Countess of Clarendon, a daughter.

28. At Trent-park, Lady Agneta Bevan, a daughter.

29. At Lisbon, Lady Howard de Walden, a son.

OCTOBER.

8. In Dover-street, the Hon. Mrs. Savile, a son.

12. At Wychood Forest, Lady Clonbrock, a daughter.

13. At Leamington, Warwickshire, the wife of William Plowden, esq., of Plowden-hall, Salop, a daughter.

14. In Westbourne-place, the wife of R. Buchanan Dunlop, esq., of Drumhead, county of Dunbarton, a daughter.

— At Arrowe-hall, Cheshire, the wife of J. R. Shawe, esq., a son and heir.

15. At Shillinglee Park, Sussex, the Countess of Winterton, a daughter.

17. In Eaton-sq., the wife of Charles Wood, esq. M.P. a son.

20. At Fawley Court, the wife of W. I. Williams Freeman, esq. a son.

23. At Downes, the wife of James Wentworth Buller, esq. a son.

— At Crosswood, Cardiganshire, the Countess of Lisburne, a son.

25. In Grosvenor-square, the wife of the Hon. F. D. Ryder, son and heir.

NOVEMBER.

2. At Escot, the lady of Sir J. Kennaway, Bart., a daughter.

— In Eaton-square, the wife of Robert Verschoyle, esq. a daughter.

4. At Heanton Satchville, Lady Clinton, a daughter.

5. At Tunbridge Wells, Lady Sarah Taylor, a daughter.

8. At Leamington, the wife of Joseph Bailey, jun., esq., M.P. a daughter.

15. In St. James's-sq., Lady Katherine Jermyn, a son.

16. At Headingley-house, near Leeds, the Hon. Mrs. James Marshall, daughter of Lord Monteagle, a son and heir.

18. At Beach Castle, Exmouth, the wife of Robert Holt, esq. a son and heir.

21. At Minterne-house, Dorset, Lady Theresa Digby, a daughter.

DECEMBER.

1. At Leamington, the Countess of Airlie, a son.

3. At York, the Countess of Eglinton, a son and heir.

4. At Hainton Hall, Lincolnshire, the wife of G. F. Heneage, esq. a son.

7. In Wilton-crescent, Lady Douglas, a daughter.

9. At Ven-house, Milbourne Port, the wife of Sir William Coles Medlycott, Bart., a son.

10. In Piccadilly, the Duchess of St. Alban's, a daughter.

— Lady Louisa Alexander, a daughter.

11. At Boulogne, the lady of Sir Henry Rivers, Bart., a son.

12. At Harewood-house, Lady Louisa Cavendish, a son.

MARRIAGES.

16. At Rock-hill, county of Donegal, Lady Helen Stewart, a son.

20. At Oxenhall, the wife of Richard Foley Onslow, esq., a daughter.

26. At Maperton-house, near Wincanton, Mrs. Henry Fitzgerald, a son.

27. At Brighton, the Lady Rivers, a daughter.

31. At Merivale-hall, Warwick, the wife of William Stratford Dugdale, esq. M.P. a daughter.

MARRIAGES.

1840.

SEPTEMBER.

10. At Sydney, Henry Charles Capel Somerset, eldest son of the Hon. and Rev. Lord William Somerset, to Elizabeth Anne, only daughter of his Excellency Major-Gen. Sir M. O'Connell, K.C.H.

Lately. At Ootacamund, in India, Hatley Frere, esq., M.S.C., nephew of the Right Hon. J. Hookham Frere, to Theodora, daughter of the Lord Bishop of Madras and Mrs. Trevor Spencer.

NOVEMBER.

3. At St. John's, Newfoundland, Captain R. J. Dacres, R. Art., son of the late Vice-Admiral Sir R. Dacres, G.C.H., to Frances Brooking, only daughter of Henry P. Thomas, esq., merchant.

10. At Southampton, Samuel Grey, esq., youngest son of the late Hon. Sir Geo. Grey, Bart., to Laura Mary, fourth daughter of Charles A. Elton, esq., and grand-daughter of Sir Abraham Elton, Bart.

13. At Sholden, the Rev. George Rainier, to Sarah, daughter of Vice-Admiral Sir Thomas Harvey, K.C.B., Kent.

23. At Stanmore, Charles Edmund Law, esq., (Rifle brigade) son of the Hon. Charles Ewan Law, M.P., to Lady Eleanor Cecil Howard, daughter of the Earl of Wicklow.

26. At St. George's, Hanover-square, John Simeon, esq., eldest son of Sir Richard Simeon, bart., of Swainston, Isle of Wight, to Jane Maria, only daughter of the late Sir F. Francis Baker, bart.

Lately. At Cambelltown, near Fort George, N. Brit., W. B. Gardner, esq., R.A., eldest son of Major-General the Hon. W. H. Gardner, to Eliza, eldest daughter of Colonel Sir Alex. Anderson, C.B.

DECEMBER.

8. At Newcastle-on-Tyne, Sydney Smirke, esq., of Berkely-square, to Isabella, eldest daughter of John Dobson, esq.

10. At Stoke, Robert, eldest son of the Hon. Lindsey Burrell, of Stoke Park, Suffolk, to Sophia Jane, only child of Fred. W. Campbell, esq., of Barbreck, N.B.

17. At Liverpool, Chas. Isaac, second son of the late Rev. Philip Yorke, of Horkesley, Essex, nephew of the Earl Somers, to Ellen, youngest daughter of the late John Leigh, esq., of Sandhills.

19. At West Ham, John Henry Pelly, esq., eldest son of Sir J. H. Pelly, bart., of Upton, Essex, to Johannah Jane, youngest daughter of the late John Carstairs, esq., of Stratford Green.

22. John Shaw Philips, esq., of Culham House, Oxon, to Anna, daughter of T. Duffield, esq., of Marcham Park, M.P. for Abingdon.

29. At Milbrook, C. A. Balfour, R. Art., son of the late Colonel Balfour, to Charlotte, only daughter of J. O. C. Read, esq., of Pen-y-Bryn, Montgomeryshire, and Laverton House, Hants., and grand-daughter of Admiral Sir W. Lake, K.C.B.

— At Marylebone, Henry James Baillie, esq., M.P. for Inverness-shire, to the Hon. Phillippa Sidney Smythe, eldest daughter of Viscount Strangford, G.C.B.

31. At Marylebone Church, Benjamin Whichcote, esq., eldest surviving son of the late Sir Thomas Whichcote, bart., of Aswarby Hall, Linc., to Harriet, relict of the late W. Villiers Surtees, esq., of Rother House, Sussex, and Devonshire-place.

Lately. At Hedsor, E. H. Hussey, esq., of Galtrim, Meath, to the Hon. Frederica Maria Louisa Irby, fourth daughter of Lord Boston.

MARRIAGES.

1841.

JANUARY.

12. At Skirbeck, Lincolnshire, Sir Allan E. Bellingham, bart., of Castle Bellingham, Ireland, to Elizabeth, only child of H. Clarke, esq., of West Skirbeck House.

13. At Paris, Arthur Douglass, of Hoaretown-park, New South Wales, only son of Dr. Douglass, of Havre, to Emily, eldest daughter of Rear-Admiral Sir Salisbury Davenport K.C.B.

15. At Frant, Saml. Newington, Esq., second son of Charles Newington, Esq., of Highlands, Ticehurst, Sussex, to Georgiana Oakely Malcolm, sixth daughter of the late Major-General Alexander Beatson, of Henly, Sussex.

19. At Eatington, Warwickshire, the Hon. Henry Hanbury Tracy, second son of Lord Sudeley, to Rosamond Shirley, grand-daughter of Earl Ferrers, and sister to Viscount Tamworth.

— The Rev. Robert Drummond, to the Hon. Charlotte Olivia Elizabeth Strutt, daughter of Col. Strutt and the late Baroness Rayleigh.

21. At St. George's, Hanover-square, George Eyre Brooks, esq., of Old Bond-street, to Mary Hannah, youngest daughter and coheiress of the late Nich. Gerrans, esq., of East Cowes.

26. At St. George-the-Martyr, Queen-square, the Rev. Joseph Irvin, vicar of Brompton, near Scarborough, to Christiana Louisa, daughter of Thomas Massingberd, esq., of Beckingham, Notts.

— At Hackthorn, Edwin George, youngest son of G. R. P. Jarvis, esq., of Doddington Hall, Lincoln, to Frances Ancotts, eldest daughter of Robert Cracroft, esq., of Hackthorn and Harrington Hall, in the same county.

27. At Compton Bishop, Somerset, H. A. S. Payne, esq., of Hutton-court, to Kate, third daughter of P. Fry, esq., of Compton House.

— At Churchover, Warwickshire, Robert Johnstone Douglas, esq., of Lockerby, Dumfriesshire, to Lady Jane Douglas, fourth daughter of the Dowager Marchioness of Queensbury.

28. At Pattingham, Andrew Wight, esq., of Leamington Priors, and of Ormiston, co. of East Lothian, N.B., to Louisa Mary Catherine, youngest daughter of Thomas Boycott, esq., of Rudge, Salop.

— At St. James's, Nathaniel, son of the late Joseph Cumberlege, esq., of Bombay, to Sophia, widow of Gen. Bradshaw, of York-terrace, Regent's-park.

Lately. At Marylebone, George, eldest son of the late George Stephenson Wintour, esq., Capt. R. N., to Harriet, daughter of Lieut. Renou, R.N.

— At Florence, Strachan J. Popham, esq., second son of the late Adm. Sir Home Popham, to Jane daughter of Col. A. Campbell, of Ardchatton, Argyleshire.

— At Bangalore, Gregory Haines, esq., Lieut. 18th M.N.I., to Jane, daughter of Major-Gen. Sir Hugh Gough.

FEBRUARY.

2. At St. George's, Hanover-square, Stewart Marjoribanks, esq., of Bushey Grove, Herts., to Lucy, relict of William Lord Rendlesham, and daughter of the late E. R. Pratt, esq., of Ryston, Norfolk.

— At Brighton, R. B. Williams, esq., of Portland-place, to Clara Margaret Westenra, third daughter of T. Darby Coventry, esq., of Greenlands, Bucks, and Kemp-town.

— At Bristol, James Beatty, esq., of Rock Lodge, co. Sligo, to Margaret, youngest daughter of the late John Booth, esq., of Lava, co. Leitrim.

8. At Hordle, the Rev. E. W. Michell, Bury, Sussex, to Catherine, relict of the Hon. T. L. Saumarez, and youngest daughter of Col. Vassall, who fell at Monte Video.

9. At All Souls, Langham-place, Henry Marshall, esq., son of the M.P., for Leeds, to the Hon. Miss Spring Rice, eldest daughter of Lord Monteagle, lately maid of honour to her Majesty.

10. At St. George's, Hanover-square, Viscount Alford, eldest son of Earl Brownlow, to Lady Marianne Margaret Compton, eldest daughter of the Marquess of Northampton.

— At Cowley, Oxf. Mark, eldest son of Mark Noble, esq., of Fulham, to Elizabeth, fourth daughter of James Lockhart, esq.

16. At Babworth, Notts., Major Eyre, 73d regt., son of the late Vice-Adm. Sir George Eyre, K.C.B., to Georgiana,

MARRIAGES.

daughter of the Hon. J. Bridgeman Simpson.

— At Sible Hedington, Essex, Henry Wood, esq., Bombay engineers, to Rosetta d' Arblay, second daughter of the Ven. Archdeacon Burney.

— At St. Marylebone Church, Lieut.-Col. Kersteman, of Loftmans, Essex, to Frances Wentworth, second daughter of the late Rear-Adm. Bingham, and grand-daughter of the late Vice-Adm. Sir W. Parker, bart.

17. The late King of Holland, the Count of Nassau, to the Countess of Oultremont, the lady for whom the aged monarch was content to forego the splendours of royalty.

— At Clifton, Captain George Griffiths, Bengal N. Inf., son of the late Henry Griffiths, esq., of Beaumont Lodge, Berks, and nephew of Sir G. G. Williams, bart., to Marianne, youngest daughter of the late W. Rogers Lawrence, esq.

— At Worfield, O. E. Johnson, esq., of Upper Berkeley-street, to Catharine Gratiana, second daughter of the Rev. E. S. Davenport, of Davenport House, Salop.

— At Lambeth-palace, the Earl of Eglintoun and Winton, to Mrs. Howe Cockerell.

18. At Ardoyne, Sir James Carmichael, bart., to Louisa Charlotte, daughter of Sir T. Butler, bart., of Ballin Temple, co. Carlow.

— At Westminster, G. H. Lewes, esq., of Kensington, to Agnes, eldest daughter of S. Jervis, esq. M.P.

24. David Stern, esq., of Regent's-park, to Sophia, second daughter of A. A. Goldsmid, esq., of Cavendish-square.

25. At Vienna, Lord Beauvale, her Britannic Majesty's Ambassador to the court of Austria, and brother to Lord Melbourne, to Mademoiselle de Maltzhan, daughter of the Prussian Ambassador at Vienna.

Lately. At Dublin, James Barry, esq., of Ballyclough, High Sheriff of Cork, and eldest son of the late Major-Gen. Barry, to Olivia, heiress of the late F. Drew, esq., of Moycollup Castle, Waterford.

— At Holywood, Ireland, the Hon. T. C. Skeffington, fourth son of Viscount Ferrard and the late Viscountess Massarene, to Hon. Henrietta Catharine Blackwood, daughter of the late Lord Dufferin and Claneboye.

— At St. James's, Col. Money, C.B. of Crown Point, Norfolk, to Lady Laura Waldegrave, eldest daughter of the late James, Earl of Waldegrave.

— At Malta, W. Mushett, esq., of Millfield, near Edmonton, Middlesex, to Elizabeth Bonsili, daughter of the Prince of Gooma, in Abyssinia.

— At Croagh, Limerick, R. Maunsell, esq., 7th Fusileers, son of the late Richard and Lady Catharine Maunsell, to Maria, daughter of Major O'Dell, of the Grove.

MARCH.

11. At St. George's, Hanover-square, the Earl of Abingdon, to Lady Frederica Kerr, sixth daughter of the late Vice-Admiral Lord Mark Kerr, and the Countess of Antrim.

— At Hambledon, Lieut.-Col. Butler, eldest son of Thomas Butler, esq., of Bury Lodge, to Arabella, daughter of Rear-Adm. Dacres.

12. John Eveleigh Wyndham, esq., only son of the Rev. J. H. Wyndham, of Corton, near Sherborne, to Elizabeth Geraldine, eldest daughter of Lieut.-Col. Fitzgerald, of Mapperton House, Somerset, and Turlough, co. Mayo.

13. At Blickling, Charles William, eldest surviving son of Robert Marsham, esq., of Stratton Strawless, Norfolk, to Emily Louisa, third daughter of Reginald George Macdonald, chief of Clanronald, and grand-daughter of the late Earl of Mount Edgecumbe.

14. At Walton, Warwicks., Thomas Dyke Acland, esq., M.P., eldest son of Sir Thomas Dyke Acland, bart., to Mary, eldest daughter of the late Sir C. Mordaunt, bart.

— At Naples, W. B. Call, esq., only son of Sir W. P. Call, bart., to Laura Emma, youngest daughter of the late C. W. Gardiner, esq., of Coombe Lodge, Oxon.

15. At Leamington, Charles John Kemeys Tynte, esq., late M.P. for West Somerset, only son of Col. Kemeys Tynte, of Halswell House, Somerset., and of Keven Mably, Glamorgansh., to Vincentia, daughter of the late Wallop Brabazon, esq., of Ruth House, co. Louth.

— At St. Mary's, Bryanstone-square, Sir Edward Pearson, of the Queen's Yeomen of the Guard, to the Hon.

MARRIAGES.

Alicia Hewitt, eldest daughter of Viscount Lifford.

— W. L. Bulwer, esq., of Heydon Hall, Norfolk, to Elizabeth, youngest daughter of the late W. Green, esq., of Bryanston-square.

— At Blendworth, the Rev. Henry Forster, eldest son of the late Capt. Henry Forster, of the 23d regt., to Ellen, youngest daughter of the Rear-Admiral Sir Michael Seymour, bart., K.C.B.

16. At Lord Dinorben's, North Wales, Miss F. Stanhope, daughter of the Hon. Sir F. and Lady Stanhope, to Colonel Hughes, C.B., brother to Lord Dinorben.

17. At St. Margaret's, Westminster, Sir Walter James, bart., M.P. for Hull, to Sarah Caroline, fifth daughter of Cuthbert Ellison, esq., of Whitehall-gardens, and Hebburn Hall, Durham.

— At Flintham, Sir John Charles Thorold, bart., to Miss Hildyard, daughter of the late Col. Hildyard, of Flintham Hall, Notts.

18. At St. George's, Hanover-square, Sir W. Wolston Dixie, bart., to Miss Loyd, youngest daughter of Lieut.-Gen. Sir Evan Lloyd and Lady Trimlestown.

— At Haverfordwest, George Roch, esq., of Butter-hill, High Sheriff of co. Pembroke, to Martha Jane, only child of the late Rev. William Protheroe, of Stone Hall, Pembroke.

— At Cambridge, the Rev. A. Thomas, third son of I. F. Thomas, esq., of Ratton, Sussex, to Julia, second daughter of J. Skrine, esq., of Lensfield, Camb., and late of civil service, Bombay.

22. At Kinnaird House, Stirlingshire, James Lord Bruce, eldest son of the Earl of Elgin and Kincardine, to Elizabeth Mary, only daughter of C. L. Cumming Bruce, M.P. for the counties of Elgin and Nairn.

— At North Willingham, the Rev. John Bowstead, Vicar of Messingham, to Eliza, eldest daughter of the Bishop of Lincoln.

— At St. George's, Hanover-square, Ralph John Thomas Williamson, esq., of Crawley, Hants., to Catherine, third daughter of Richard Lane, esq., deceased, and widow of the late Captain George Hull Sotheby.

26. At Uplyme, William Edmund, second son of Sir William T. Pole, bart., to Margaret, daughter of Vice-Admiral the Hon. Sir John Talbot, K.C.B.

27. At St. Margaret's, Westminster, the Rev. Anthony Cottrell Lefroy, of Ewshott House, Hants., to Anne, daughter of the late John Rickman, esq., of the House of Commons.

— Molyneux Hyde Nepean, esq., eldest son of Sir M. H. Nepean, bart., of Loders and Bothenhampton, Dorset, to Isabella, only daughter of Col. Geils, of Dumbuck, Dumbartonshire.

— At St. George's, Hanover-square, Viscount Jocelyn, eldest son of the Earl of Roden, to Lady Frances Elizabeth Cowper, youngest daughter of the late Earl Cowper and Viscountess Palmerston.

28. His Imperial Highness the Grand Duke Alexander of Russia, to the Grand Duchess Maria Alexandrowna, Princess of Wirtemburg.

29. At Islington, John H. Mathews, of the Middle Temple, esq., to Jane Mellar, youngest daughter of Aaron Chapman, of Highbury Park, esq., M.P.

— At Norton, Kent, the Rev. M. W. Watts Russell, second son of J. Watts Russell, esq., of Ilam Hall, Stafford, and Biggin House, Northamptonsh., to Augusta, eldest daughter of the late P. H. Barker, esq., of Bedford.

— At Mamhead, Devon., Captain Parker, 66th regt., to the Lady Catharine C. Leslie.

— At Chester-le-Street, Raleigh Henry Yea, esq., second and youngest son of Sir Walter Yea, bart., to Ellen, second daughter of John Cookson, esq., of Whitehill.

— At Sidmouth, Sir Edmund Saunderson Prideaux, bart., of Netherton, to Caroline, third daughter of the late Rev. James Bernard, rector of Combe Flory.

— At Bristol, Francis Greville Prideaux, esq., to Mary Ann, youngest daughter of the late Thomas Cross, esq., of Bristol.

31. At St. George's, Hanover-square, the Right Hon. Francis Baring, M.P., eldest son of Sir Thomas Baring, bart., to the Lady Arabella Georgiana Howard, second daughter of the Earl of Effingham.

— At Brighton, Captain John Vivian, 11th Hussars, second son of Sir Hussey Vivian, bart., G.C.B., to Louise, only child of the late Henry Woodgate, esq.

Lately. In Tipperary, Lord Cecil Gordon, son of the Marquess of Huntley, to Emily, daughter of M. C. Moore, esq., of Mooresfort.

MARRIAGES.

— Col. Powell, M.P. for Cardigansh., to Harriott Dell Ackers, widow of Geo. Ackers, esq., of Moreton Hall, Cheshire.

APRIL.

1. At Rogate, Sussex, William Kennedy, esq., Lieut. R.N., to Georgiana, fourth daughter of the late Hon. Sir Charles Paget.

17. At Calcutta, Capt. Biddulph, son of the late Sir Theophilus Biddulph, bart., to Hannah Sarah, eldest daughter of Dr. Nathaniel Wallich, of the H. E. I. C. Botanic Garden, Calcutta.

MAY.

1. At Hungerton, Leicestershire, W. A. Pochin, esq., of Barkby Hall, to Agnes Eliza, only daughter of W. A. Ashby, esq., of Quenby Hall.

3. At Sopley, Ringwood, Hants., the Rev. J. Frobisher, of Harberton, Devon., to Mary A. Catherine, eldest daughter of George J. B. J. Willis, esq., of Sopley Park.

4. At Edinburgh, Lieut.-Col. W. H. Cornwall, Coldstream Guards, to Louisa Grace, second daughter of the Right Hon. Lord Robert Kerr. K.H., &c.

5. At Langford, the Rev. Alleyne, third son of Sir Henry Fitz-Herbert, bart., to Angelina, third daughter of the late James Haffenden, esq., of Langford Hall, Notts., and Tenterden, Kent.

— At Port Louis, Walter Warde, esq., 74th regt., son of the late Gen. Sir Henry Warde, G.C.B., to Augusta, daughter of his Excellency Sir Lionel Smith, bart. G.C.B.

9. At All Saint's Church, Southampton, H. F. K. Holloway, esq., of Marchwood House, near Southampton, High Sheriff of the co. of Hants., to Mary-Ann, eldest daughter of P. Breton, esq., of Polygon House, Southampton.

10. At Shanbally Castle, the seat of Lord Lismore, Henry Prittie, esq., eldest son of the Hon. F. A. Prittie, to the Hon. Anne O'Callaghan, only daughter of Viscount Lismore.

11. At St. George's, Hanover-square, W. M. Tuffnell, esq., second son of I. J. Tuffnell, esq., of Langleys, Chelmsford, to Eliza Isabella, eldest daughter of Sir John T. Tyrrell, bart., M.P.,

— At Condover, Shropshire, William George Rose, esq., eldest son of William Rose Rose, esq., of Harleston Park, co. Northampton, to Charlotte, daughter of the late E. B. Blackburn, esq., Chief Justice of the Mauritius.

— At York, Arthur Newcomen, Roy. Horse Art., to Teresa, only daughter of H. Vansittart and the Hon. Lady Turner, of Kirkleatham, Yorkshire.

13. At St. George's, Hanover-square, the Hon. and Rev. Augustus Duncombe, to the Lady Harriet Douglas, daughter of the late Marquess of Queensberry.

15. At River, near Dover, John Mr. Fector, esq., M.P., for Maidstone, to Isabella, only child of the late Major-Gen. John Murray.

— The Hon. and Rev. Gerard Noel, Canon of Winchester, to Susan, youngest daughter of the late, and sister of the present, Sir John Kennaway, bart., of Escot, Devon.

18. The Rev. S. H. Macaulay, Rector of Hodnet, Shropshire, to Mary, only daughter of the late Rev. Reginald Heber, of Hodnet Hall, widow of the Rev. C. C. Cholmondeley.

— At St. George's, Hanover-square, Sir William Heathcote, bart., of Hursley, co. Southampton, to Selina, eldest daughter of Evelyn John Shirley, esq., of Lower Eatington, co. Warwick.

19. At Brighton, the Rev. George Thackeray, Rector of Hemingby, Linc., to Martha Mary, only child of the late John Brydges, esq., of Leicester.

20. At Everton, John T. W. Aspinall, esq., of Standen Hall, Lancashire, to Elinor, youngest daughter of Nicholas Aspinall, esq., of Everton, Liverpool.

21. At Weymouth, Melville Gore Beckwith Browne, esq., 41st regt., son of Col. Melville Browne, to Louisa Leonora, youngest daughter of Sir George Thomas, bart.

JUNE.

1. At Teddington, John George Ramsden, esq., of Norfolk-street, Park-lane, to Sarah, eldest daughter of the late William Jones Burdett, esq., and niece to Sir Francis Burdett, bart.

— At Rudding Park, Yorkshire, Sir George Armytage, bart., to Eliza Matilda Mary, second daughter of Sir Joseph Radcliffe, bart.

MARRIAGES.

— Jacobina Maria Sophia, eldest daughter of Sir Joseph Radcliffe, to Samuel James, eldest son of William Williams Brown, esq., of Chapel Allerton.

3. At Grace Dieu Manor, Leicestersh., Henry B. G. Whitgreave, esq., eldest son of G. T. Whitgreave, esq., of Moseley-court, Staffordshire, and Eaton-square, to Henrietta Maria Clifford, daughter of the late Hon. Thomas Clifford, youngest son of Hugh, fifth Lord Clifford.

5. At St. Bride's, Fleet-street, Edw. Graham, second son of Sir Robert Graham, bart., of Esk; Cumberland, to Mrs. Henderson, widow of Charles Henderson, esq., of St. John's-terrace, Oxford.

8. At Aston, Herts., Charles Stanley, esq., cousin of the Earl of Derby, to Elizabeth Rosamond, widow of R. H. Stanhope, esq. Comm. R. N.

11. At Yester House, Haddingtonsh., Lady Louisa Hay, third daughter of the Marquess of Tweeddale, to R. B. W. Ramsay, esq., of Whitehill, M.P.

12. At Calcutta, the Hon. H. F. H. Perry, third son of the late Lord Glentworth, and grandson of the Earl of Limerick, to Amelia Mary, second daughter of Capt. Rowland Money, R.N. C.B.

14. At Dublin, Henry Leader, esq., son of the late Nicholas Philpot Leader, of Dromagh Castle, Cork, esq., M.P., to Maria, only child of J. B. Miller, of Dublin, esq., one of her Majesty's Counsel, and niece of the Right. Hon. the Master of the Rolls.

22. At the Duke of Bedford's, Belgrave-square, Edw. A. Sanford, esq., M.P. for West Somerset, to the Lady Caroline Stanhope, sister of the Earl of Harrington.

24. At St. Marylebone, Robert Rising, esq., of Worcester, to Mary, eldest daughter of Thomas Hawkes, esq., M.P. for Dudley.

— At Morval, the Rev. Gerald P. Carew, youngest son of the late Right Hon. Reginald P. Carew, of Antony, to Harriet Eliza, eldest daughter of John Buller, esq., of Morval.

27. At the Catholic chapel, Dover, the Princess Isabella Fernandina Josefa, daughter of Don Francisco de Paulo Borbon, to the Count Ignatius Gerowski.

29. At St. George's, Hanover-square, the Right Hon. Lord Headley, to Maria Margaret, eldest daughter of the late Major D'Arley.

— The Rev. James Gisborne, third son of the Rev. Thomas Gisborne, of Yoxhall Lodge, Staff. and Preb. of Durham, to Charlotte Frances Trevelyan, third daughter of the Dowager Lady Carrington, and grand-daughter of the late Sir John Trevelyan, bart.

— At Dublin, the Rev. J. A. Emerton, M.A., of Hanwell, Middlesex, to Mary-John, daughter of the late Major John Rogerson Wolseley, and niece of the Rev. Sir R. Wolseley, bart.

30. At Aberdeen, John Michell, esq., of Forcett Hall and Glassell, to Jane Young, only daughter of Rear-Adm. Sir Arthur Farquhar.

Lately. At Weston-under-Penyard, Hereford, Richard Cobbett, esq., of Manchester, youngest son of the late William Cobbett, M.P., to Jane, eldest daughter of William Palmer, esq., of Bollitree, Hereford.

JULY.

1. At Chester, John Whitehall Dod, esq., of Cloverly, Shropshire, to Ann Caroline, daughter of the Ven. Archdeacon Wrangham.

6. At Southampton, Capt. E. Jones, of Wrexham, to Caroline, eldest daughter of the late Capt. Peter Rainier, R.N.C.B. of Southampton.

8. At St. Marylebone, Lieut.-Col. the Hon. Edw. Bootle Wilbraham, Coldstream Guards, to Emily, fourth daughter of James Ramsbottom, esq., of Clewer Lodge, Berks.

9. At Prince Edward's Island, the Hon. K. Stewart Commander of H.M.S. Ringdove, brother to the Earl of Galloway, to Mary Caroline, only daughter of his Excellency Sir Charles Fitzroy, and niece to the Duke of Richmond.

10. At St. George's, Hanover-square, the Right Hon. Lord Cremorne, to Augusta, second daughter of Edward Stanley, esq., and Lady Mary Stanley.

12. At St. George's, Hanover-square, Viscount Villiers, M.P., eldest son of the Earl and Countess of Jersey, to Miss Peel, eldest daughter of the Right Hon. Sir R. Peel, Bart.

13. At Zante, William Edmonstone, esq., R.N., second son of the late Sir Charles Edmonstone, bart., to Mary Eliza, eldest daughter of Major T. W. Parsons, resident of that island.

MARRIAGES.

14. Wm. Chapman, esq., of Southill, Westmeath, to Louisa, third daughter of the late Arthur Vansittart, esq., of Shottesbrook, Berks.

15. At St. George's, Hanover-square, the Rev. Lovick Cooper, of Empingham, Rutland, to Harriette, niece of the late David Ricardo, esq., M.P., of Gatcombe Park, Gloucestersh. and eldest sister of Lewis Ricardo, esq., M.P. for Stoke.

— At Putney, the Rev. Aislabie Ommanney, M.A., vicar of Chew Magna, Somersetshire, to Anna Catherine, only daughter of George G. de H. Larpent, esq., M.P., of Roehampton, Surrey.

— At Upper Bullingham, Herefordshire, Charles Barr, esq., of Leeds, banker, to Sophia, daughter of the late M. Daniell, esq., and niece of the late Right Hon. Apphia Lady Lyttleton.

20. At Minto House, near Hawick, N. B., Lord J. Russell, M.P., Secretary of State for the Colonial Department, to Lady Frances Anna Maria Elliot, second daughter of the Earl of Minto.

21. At Marylebone, Mr. Serjt. Gaselee, eldest son of the late Mr. Justice Gaselee, to Alicia Mary, eldest daughter of the late Sir John Tremayne Rodd, K.C.B., Vice-Adm. of the White.

— At Uttoxeter, the Hon. Richard Cavendish, brother of Lord Waterpark, to Elizabeth Maria Margaret, only child of Thomas Hart, esq., and niece of Sir Thomas Cotton Sheppard, bart.

23. At St. George's, Hanover-square, H. P. Hope, esq., to Mary Sophia, youngest daughter of the late T. Dickenson, esq.

26. At the Viceregal Lodge, Dublin, his Excellency Earl Fortescue, to the Dowager Lady Somerville.

30. At Cheltenham, Col. Sir Charles Shaw, third son of the late Charles Shaw, esq., Ayr, to Louisa Hannah, only daughter of the late Major Martin Curry, 67th regt.

Lately. At St. George's, Hanover-square, Capt. Blanckley, R.N., (late of H. M. S. Pylades), to Sarah, eldest daughter of the late Sir George Nayler, Garter King at Arms.

— At Granton, Morton Cary, esq., barrister-at-law, and solicitor of excise, to Emily, daughter of Lord Robert Kerr.

— At Kilmacrenan, Ireland, Dr. Molloy, to Augustin, only daughter of the late Col. Macneill, of Collonsay, and Lady Anne Hastings.

— At Marylebone, Capt. the Hon. Frederick Pelham, R.N., brother to the Earl of Chichester, to Ellen, daughter of Rowland Mitchell, esq., of Upper Harley-street.

— At Rathhaspack, Wexford, R. Whelan, esq., of Corkagh, Dublin, to Frances, daughter of Captain Reade, of Springhill, Wexford, and niece to Sir Astley Cooper, bart.

AUGUST.

3. At St. John's Church, Roundhay, Thomas Shiffner, esq., third son of Sir George Shiffner, bart., of Coombe, Sussex, to Mary, second daughter of James Browne, esq., of Harehills-grove, near Leeds.

— At New St. Pancras Church, the Rev. Theodore Bouens, to the Lady Julia Lambart, youngest daughter of the late Viscount Kilcoursie, and sister to the Earl of Cavan.

4. At Portsmouth, Commander the Hon. Edward A. Harris, R.N., second son of Lord Malmesbury, to Emma Wylly, youngest daughter of Capt. Chambers, of H.M.S. Monarch.

9. At Caboul Lieut. J. L. D. Sturt, to Miss A. Sale, youngest daughter of Major-Gen. R. Sale, K.C.B.

11. At Delgaty Castle, Miss Duff, daughter of Gen. the Hon. Sir Alexander Duff, of Delgaty, to Lewis Ricardo, esq., M.P. for Stoke-upon-Trent.

— At St. James's, Robert William Gaussen, esq., of Brookman's Park, High Sheriff of Hertfordsh., to Elizabeth Christian, youngest daughter of James A. Casamajor, esq.

— At Edinburgh, William Burge, esq., one of her Majesty's Counsel at Jamaica, to Margaret, daughter of the late Rev. Archibald Alison, B.C.L. Preb. of Sarum.

12. At Cork, Major John Jackson Lowth, 38th regt., third son of the late Rev. Robert Lowth, and grandson of Bishop Lowth, to Catherine, youngest daughter of the late Richard Hull Lewis, esq., of Kinsale, and widow of J. Sandys, esq., of the same place.

20. At Greenwich, the Rev. Charles Manners Richard Norman, nephew to the Duke of Rutland, to Caroline Amelia, eldest daughter of John Angerstein, esq., of Woodlands.

MARRIAGES.

— At Dawlish, John Craigie, esq., to Christina Maitland, eldest daughter of the late Charles Grant, esq. and niece of the late Right Hon. Sir W. Grant, Master of the Rolls.

25. At Farnham, the Rev. William Henry Ridley, Rector of Hambledon, Bucks., to Sophia Albertina, second daughter of the Lord Bishop of Winchester.

28. At Corsham, Peter Hooper, esq., of Easton House, Wilts., to Frances Emily, only daughter of Edmund George Freame, esq.

31. At Fareham, Hants., Lieut. S. Y. Brown, R.N., to Barbara Whalley Smythe, second daughter of Sir J. W. S. Gardiner, bart., of Rochecourt, Hants.

— At St. James's, R. Longfield, esq., of Longueville, Cork, to Jemima Lucy Birch, the second daughter of Wyrley Birch, esq., of Wretham Hall, Norfolk.

SEPTEMBER.

2. At St. George's, Hanover-square, John Stephen Robinson, esq., eldest son of Sir R. Robinson, to Sarah Bridget, only daughter of Anthony Denny, esq., of Barhamwood, Herts., and granddaughter of Lord Collingwood.

— At Rotherfield, Octavius Ommanney, esq., of Norfolk-street, son of the late Sir Francis M. Ommanney, to Helen, third daughter of the Rev. Robt. Gream, Rector of Rotherfield, Sussex.

4. At St. George's, Hanover-square, William, only son of the Rev. Richard Vavasour, Rector of Stow, Glouc., to Caroline, second daughter of the late Lieut.-Gen. Sir Henry M. M. Vavasour, bart.

6. At the Roman Catholic Chapel, Brighton, and afterwards at Hove, Sussex, Charles William Edward Jerningham, esq., to Emma, youngest daughter of the late Evan Roberts, esq., of Grove House, Surrey.

— At Hanover, Bridges Taylor, esq., of her Majesty's Office for Foreign Affairs, fourth son of Edward Taylor, esq., formerly of Bifrons, Kent, to Emily Alice, third daughter of his Excellency, Gen. Sir Hugh Halkett, &c.

7. Cecil Fane, esq., to Harriett Anne, only daughter of the late Vice-Adm. the Hon. Sir Henry Blackwood, bart., K.C.B. and G.C.H.

13. At Dublin, William De Courcey O'Grady, esq., eldest son of the O'Grady of Kilballyowen, Limerick, to Anna, only daughter of Thomas Derinzy, esq., of Clobemon Hall, Wexford.

— At Kilkenny, Tankerville William Chamberlain, esq., to Margaret, daughter of the Ven. the Archdeacon of Ossory.

14. At Caversham, Capt. James Dolphin, late of the rifle brigade, to Agnes, daughter of Wm. Crawshay, esq., of Caversham, Oxfordsh., and Cyfarthfa Iron Works, Glamorganshire.

16. At St. George's, Bloombury, John Hancock Hall, esq., Barrister-at-Law and Fellow of Trin. Hall, Camb., eldest son of the Rev. J. H. Hall, of Risley Hall, Derb., to Laura, daughter of the late Mr. Justice Gaselee.

— At St. George's Hanover-square, Roderick Mackenzie, esq., of Flowerburn Ross-shire, to Caroline, youngest daughter of the late Robert Nicholson, esq., of Bradley Hall, co. Durham.

18. At Sudeley, near Tonbridge, Charles Dashwood Bruce, esq., nephew of the Earl of Elgin, to the Hon. Harriet Elizabeth Pitt, sister of Lord Rivers.

21. At Greenwich, Lord Henry Russell, seventh son of the late Duke of Bedford, to Miss Henrietta Maria Stopford, third daughter of the Hon. Adm. Sir Robert Stopford, G.C.B.

— At Ampthill, Beds., Sir Matthew White Ridley, bart., of Blagdon, Northumberland, to Cecilia Anne, eldest daughter of the Right Hon. Baron Parke.

— At Rockliffe, James Robert Grant, esq., eldest son of Sir J. Grant, K.H. and Knight of St. Anne, of the Hill, Cumberland, to Jane Eleanor, daughter of John Dixon, esq., of Knells, same county.

— At Rathfarnham, Francis Ellis, esq., third son of the late Thomas Ellis, esq., Master in Chancery, and M.P. for Dublin, to Louisa, second daughter of the late Sir W. MacMahon, bart., Master of the Rolls in Ireland.

— At Arncliffe, Yorkshire, Thomas Meynell, esq., jun., of Kilvington Hall, to Jane, eldest daughter of William Mauleverer, esq., of Arncliffe Hall.

— At Llandyfnan, Anglesey, Major the Hon. Charles Crespigney Vivian, eldest son of Lieut.-Gen. Lord Vivian, to Mary Elizabeth, eldest daughter and heiress of the late Jones Panton, jun., esq., of Ross Gwynn, Anglesey.

MARRIAGES.

22. At Southampton, the Hon. Chas Henry Boyle, second son of the Earl of Shannon, to Catherine Sophronia Jane. eldest surviving daughter of James Ede, esq., of Ridgway Castle, near Southampton.

23. The Hon. E. R. Littleton, only son of Lord Hatherton, to Lady Margaret Percy, youngest daughter of the Earl of Beverley.

— At Melton Mowbray, the Hon. and Rev. W. Powys, to Charlotte, fourth daughter of Richard Norman, esq., and niece to the Duke of Rutland.

— At Bathwick, Major George Willock, K.L.S., to Caroline Elizabeth, youngest daughter of the late Rev. Richard Woodward, D.D., and granddaughter of Richard, Lord Bishop of Cloyne.

24. At Sherborne Minster, the Rev. Arthur G. S. Shirley, Vicar of Stinsford, Dorset, and youngest son of the late Evelyn Shirley, esq., of Eatington Park, Warwicksh., to Georgiana Emily, second daughter of the Rev. William Cookson.

29. At St. Mary's, Bryanston-square, Sir Robert Charles Dallas, bart., to the Hon. Frances Henrietta, relict of Chas. Des Voeux, esq., (eldest son of Sir Charles Des Voeux, bart.,) and youngest daughter of the late Lord Ellenborough.

30. At Dublin, the Very Rev. Henry Barry Knox, Rector of Hadleigh, and co-Dean, of Bocking, second son of the late Right Hon. George Knox, to Jane, eldest daughter of the late Hon. and Rev. Arthur Vesey, of Knapton, and niece of the Viscount De Vesci.

OCTOBER.

3. At Lyme Regis, Dorset, George Denis O'Kelly Templar, esq., of Lyme Regis, fourth son of James Templar, esq., of Bridport, to Caroline Wilhelmina, eldest daughter of Col. Sir Dudley St. Leger Hill, C.B., K.T.S., of High Cliff House, Lyme Regis.

4. At Dublin, Capt. Nugent, 36th regt., son of Andrew Nugent, esq., of Portaferry, Down, and nephew of the Viscount De Vesci, to the Viscountess Bangor, widow of Viscount Bangor, of Castleward, Down, and sister of Lord Farnham.

5. At St. George's, Hanover-square, Robert King, esq., of Chester-street, to Katharine Frances, eldest daughter of Lieut-Gen. Sir W. C. Eustace, K.C.H.

— At Gillingham, George Black, esq., Capt. in the Royal Canadian Rifles, to Louisa Philips, third daughter of Capt. Sir John Marshall, C.B., Gillingham House, Kent.

6. At Brighton, Anthony S. Greene, esq., to Ann, daughter of Sir John Bateman, and widow of Gen. Butler.

— At Geneva, the Rev. Fred. Robertson, to Ellen, third daughter of Sir Geo. W. Denys, bart., and niece to the late Earl of Pomfret.

8. At West Farleigh, Kent, Capt. Fitz Herbert, Rifle Brigade, second son of Sir Henry Fitz Herbert, bart., of Tissington Hall, Derbyshire, to Ellen Margaret, only daughter of James Hepburn, esq., of Tovil-place, Kent.

9. At St. George's, Hanover-square, Sir Hugh Hume Campbell, of Marchmont, bart., M.P., to Juliana Rebecca, only daughter of Lieut-Gen. Sir J. Fuller, G.C.H.

14. Charles Frere, esq., second son of James Hatley Frere, esq., to Charlotte Vansittart, second daughter of the Rev. Edward Neale, rector of Taplow, Bucks.

15. At St. Marylebone, Vice-Adm. the Lord Colville, to the Hon. Ann Law, sister to Lord Ellenborough.

19. At Marylebone, Thomas Neville Abdy, esq., of Albyns, Essex, to Harriot, second daughter of Rowland Alston, esq., of Pishiobury, Hertfordshire.

— At Wortley, the Rev. G. C. Bulkeley, vicar of Southminster, Essex, to Caroline Albinia, daughter of the Ven. Stuart Corbett, D.D., Archdeacon of York.

— At Weymouth, Walker Busfield, esq., of Milnerfield, near Bingley, Yorkshire, to Emma, daughter of Edmund Broderip, esq., of Weymouth and Cossington, Somerset.

25. At St. George's, Viscount Campden, eldest son of the Earl of Gainsborough, to Lady Ida Hay, daughter of the Earl and Countess of Erroll.

26. At Sherington, William, eldest son of Sir William Millman, bart., of Pinner Grove, Middlesex, to Matilda Frances, eldest daughter of the Rev. John Prettyman, of Sherington, Bucks.

— At Florence, Captain Brunswick Popham, R.N., son of the late Admiral Sir Home Popham, to Susan, eldest daughter of Patrick Murray, esq., Arthurstone, Perthshire.

— At St. Mary's Isle, the Hon. Charles Hope, M.P., third son of the

MARRIAGES.

late Earl of Hopetoun, to Lady Isabella Helen Douglas, eldest daughter of the late Earl of Selkirk.

27. At Acton Burnell Hall, Shropshire, Arthur James Netterville, esq., of Crencerath, Meath, to Constantia Frances, second daughter of Sir Edward Smythe, bart.

NOVEMBER.

11. At St. George's, Hanover-square, Lord Walpole, eldest son of the Earl of Orford, to Harriet Bellina Frances, only child of the Hon. Sir Fleetwood B. K. Pellew, C.B. and K.C.H., and Lady Pellew.

13. At Dover, according to the rites of the Church of England, and also of the Church of Rome, Thomas Daly, esq., son of the late Dominick Daly, esq., of Galway, to Amelia, daughter of the late Sir Benjamin Hobhouse, bart.

18. At Clifton, the Rev. W. H. Brookfield curate of St. James's, Piccadilly, to Jane Octavia, youngest daughter of C. A. Elton, esq., eldest son of Sir Abraham Elton, bart., of Cleveland Court, Somerset.

20. At St. George's, Hanover-square, W. Beckett, esq., M.P., of Kirkstall Grange, near Leeds, to Frances Adeline Meynell, sister to Hugo C. Meynell Ingram, esq., of Temple Newsham, Yorkshire, and Hoar Cross Hall, Staffordshire.

22. At Marylebone, John, eldest son of John Thornton, esq., of Clapham, Surrey, to Harriet Sarah, youngest daughter of the late Right Rev. Reginald Heber, Bishop of Calcutta.

23. At Mount Melville, N.B., Sir David Dundas, bart., of Beechwood, to Catherine Margaret, eldest daughter of John Whyte Melville, esq., of Bennochy and Strathkinness, and Lady Catherine Whyte Melville.

— At Edinburgh, Sir James T. G. Craig, bart., of Riccarton, to Jane, second daughter of Sir J. P. Grant, of Rothiemurchus, and widow of Col. Pennington of the Bengal artillery.

— At Marylebone, Henry William, third son of the late Zachary Macaulay, esq., and late British Commissary Judge at Sierra Leone, to Margaret, fourth daughter of Lord and Lady Denman.

30. At St. George's, Hanover-square, Edward Houndle, esq., of the Adj.-General's Office, Horse Guards, to Emily Christine, younger daughter of the late Gen. Sir Samuel Hawker, G.C.H.

— At Layham, Colonel Blagrove, of Colcot Park, Berks., to Georgiana, daughter of the late Sir William Rowley, bart., of Tendring Hall, Suffolk.

DECEMBER.

9. At Chaddesden, Lorenzo Kirkpatrick Hall, esq., to Emma Selina, sister of E. M. Mundy, esq., M.P., of Shipley Hall, Derbyshire.

14. At Sarsden, Oxfordshire, John Raymond Barker, esq., of Tanford Park, Gloucestershire, to the Lady Katharine Moreton, youngest daughter of the late Earl of Ducie.

15. At St. George's, Hanover-square, Sir Arthur Brinsley Brooke, bart., M.P., to the Hon. Henrietta Anson, late Maid of Honour to the Queen, and youngest daughter of Gen. Sir George Anson, G.C.B., Groom of the Bedchamber to his Royal Highness Prince Albert.

— At Little Horkesley, Essex, the Rev. Markham Mills, son of the late Rev. H. F. Mills, and grandson of the late Archbishop of York, to Elizabeth Matilda, second daughter of Charles Rooke, esq., of Westwood House, near Colchester.

PROMOTIONS.

1840.

DECEMBER.

GAZETTE PROMOTIONS.

4. Commodore Charles Napier, to be K.C.B.

7. Sir George Rose, knt., to be one of the Masters in Ordinary of the High Court of Chancery, *vice* Lord Henley.

14. John Hamilton, Earl of Stair, to be Keeper of the Seal in Scotland.

16. Robert Schomburgk, esq., to be Her Majesty's Commissioner for surveying and marking out the boundaries of British Guiana.

PROMOTIONS.

Members returned to Parliament.

Carlow County.—Henry Bruen, esq.
Mayo County.—Mark Blake, esq.

Ecclesiastical Preferments.

Rev. R. Daly to be Dean of St. Patrick's.

Rev. G. P. Burney, D.D., to be Archdeacon of St. Alban's.

Rev. F. B. Twisleton, D.C.L., to be a Canon Residentiary of Hereford.

Rev. W. Gresley to be an Hon. Canon in Lichfield Cathedral.

Rev. W. J. Philpotts to be Precentor of Exeter.

1841.

JANUARY.

Gazette Promotions.

23. Robert Bell, esq., advocate, to be Sheriff Depute of Berwickshire.

25. Knighted, George Simpson, esq., Governor of the Hudson's Bay Company's Settlements; and Robert Horsford, esq., Solicitor-gen. of Antigua.

— Royal Artillery, — Brevet-Major Edw. Sabine, to be Lieut.-Col.

Naval Promotions.

To be Captains,—G. Mansel, A. L. Kuper.

The following Promotions are in consequence of the operations on the coast of Syria:—

To be Captains, W. Luckraft, T. Henderson, F. D. Hastings, G. Hatborn, L. T. Jones, F. Liardet, S. Hope, R. F. Stopford, H. J. Worth, R. S. Robinson; and, when they shall have completed the time required by the regulation, T. L. Massie, W. J. Williams, and the Hon. G. J. B. Elliot.

To be Commanders, W. Clark, H. P. Bingham, C. C. Birkett, G. Lowe, W. H. Hall, J. Batt, W. Maitland, W. F. Glanville, R. H. Elliot, T. Stuart, D. Curry, T. Brown, J. Fulford, John Russell (*b*), G. N. Broke, W. K. Stephens, C. E. E. Patey, C. Thompson, S. Grenfell, G. Giffard, and E. P. Charlewood; and, when his regulation-time is completed, L. S. A. Dennis.

Ecclesiastical Preferments.

Rev. H. E. Manning, to be Archdeacon of Chichester.

Rev. W. A. Shirley, to be Archdeacon of Derby.

Rev. R. J. Wilberforce, to be Archdeacon of the East Riding of Yorkshire.

Rev. T. Brown, to be a Canon of Chichester.

Rev. J. R. Hughes, to be a Canon of Chichester.

Rev. W. Kirby, to be an Honorary Canon of Norwich.

FEBRUARY.

Gazette Promotions.

11. Knighted, Thomas Erskine Perry, esq., a Judge of the Supreme Court of Judicature at Bombay.

15. John Forbes, esq., M.D. F.R.S., (Physician Extraordinary to Prince Albert), to be Physician in Ordinary to her Majesty's household.

16. Charles Waybrow Ligar, to be Surveyor-gen. of New Zealand.

19. James Annesley, esq. (late Consul at Barcelona) to be Consul at Amsterdam; John Story Penlease, esq. (late Consul at Amsterdam) to be Consul at Barcelona; Henry Augustus Cowper, esq. (late Consul at Parà) to be Consul at Pernambuco.

— Royal Engineers, Capt. and Brevet-Major Anth. Marshall to be Lieut.-Col., *vice* Sir Frederick Smith, appointed Inspector-gen. of Railways.

20. Walter William Lewis, esq., to be Commissary Judge; Michael Linning Melville, esq., to be Commissioner of Arbitration; and Charles Brooke Bidwell, esq., to be Registrar to the Mixed British and Foreign Courts established at Sierra Leone for the suppression of the Slave Trade.

22. Willoughby Shortland, esq., to be Colonial Secretary at New Zealand.

25. The Earl of Thanet sworn Lord Lieutenant and Custos Rotulorum of Kent.

— Robert Keate, esq., to be Serjeant-Surgeon in Ordinary to her Majesty.

26. 11th Foot, Major B. V. Derinzy, to be Lieut.-Col.

PROMOTIONS.

— Brevet-Major H. K. Bloomfield, to be Major.

— Brevet-Major T. W. O. M'Niven, to have the local rank of Lieut.-Col. on a particular service.

— Staff, Lieut.-Col. John Bazalgette, to be Dep. Quartermaster-gen. in Nova Scotia.

— John Hall, M.D., to be Surgeon to the Forces.

MEMBERS RETURNED TO PARLIAMENT.

Canterbury.—Hon. G. P. S. Smythe.

Cavan County.—H. J. Clements, esq.

Dysart, &c. Burghs. — Lieut.-Col. Robt. Ferguson, jun., of Raith.

Monmouthshire. — C. O. S. Morgan, esq.

Reigate.—Viscount Eastnor.

Richmond.—Hon. Geo. W. Fitz William.

St. Alban's.—The Earl of Listowel.

Surrey (East). — Edmund Antrobus, esq.

Walsall.—John N. Gladstone, esq.

ECCLESIASTICAL PREFERMENT.

Rev. Stephen Barbut, to be a Prebendary of Chichester.

CIVIL PREFERMENTS.

Rev. T. W. Peile, to be Head Master of Repton School.

David Roberts, esq., Philip Hardwick, esq., and John Chalon, esq., elected Royal Academicians.

MARCH.

GAZETTE PROMOTIONS.

8. Col. Henry Godwin and Capt. George Blake, R.N., to be Gentlemen Ushers to Prince Albert.

11. The Marquess of Westminster invested with the Garter.

16. William Cornwallis Symonds, to be Dep. Surveyor-gen. of New Zealand.

22. Knighted by patent, Randolph Isham Routh, esq., Commissary-Gen. to her Majesty's forces in Canada.

24. Knighted, Capt. Joseph Douglas, late of the ship Cambridge; Isambart Marc Brunel, esq.; and Arnold James Knight, M.D. of Sheffield.

— Joseph T. Crawford, esq., to be Consul at Tampico.

25. Lieut.-Col. Sir W. M. G. Colebrooke, knt., to be Lieut.-Governor of New Brunswick and its dependencies.

MEMBER RETURNED TO PARLIAMENT.

King's County.—Andrew Armstrong, esq.

ECCLESIASTICAL PREFERMENTS.

Rev. Frederick Twisleton, D.C.L., to be a Canon of Hereford.

The Hon. and Rev. E. Keppel, the Hon. and Rev. E. Pellew, the Rev. Edw. Edwards, and the Rev. Joseph Cotterill, to be Honorary Canons of Norwich Cathedral.

Rev. W. Wilson, to be a Minor Canon of Manchester.

Rev. R. Allen, to be Prebendary of Chichester.

CIVIL PREFERMENTS.

Rev. R. P. Buddicom, to be Principal of St. Bee's College.

Rev. R. Dixon, to be Principal of King William's College, Isle of Man.

APRIL.

GAZETTE PROMOTIONS.

2. The Earl of Milltown invested with the Order of St. Patrick.

6. His Royal Highness Prince Albert, to be Ranger of the Great Park at Windsor.

7. Adm. the Hon. Sir Robert Stopford, G.D.B., to be Master of her Majesty's Hospital at Greenwich.

— Edw. W. H. Schenley, to be Commissioner of Arbitration at Surinam.

24. Edw. Dyer Sanderson, esq., to be Chief Justice of Tobago.

28. Knighted,—Thomas Noel Harris, esq., late Lieut.-Col. in the army, K.H. &c., a Groom of the Privy Chamber; William Wightman, esq., a Judge of the Queen's Bench; Isaac Morley, esq., Mayor of Doncaster, and Edw. Samuel Walker, esq., Mayor of Chester.

29. Gen. Sir John Harvey, K.C.B.

PROMOTIONS.

to be Governor and Commander-in-Chief of Newfoundland.

— Sir Robert B. Clarke, to be Chief Justice of Barbadoes; Henry Edw. Sharpe, esq., to be Attorney-General of Barbadoes.

MEMBER RETURNED TO PARLIAMENT.

Antrim County.— Nath. Alexander, esq.

ECCLESIASTICAL PREFERMENST.

Rev. C. H. Terrot, to be Bishop of Edinburgh.

Ven. Archdeacon Strong, D.D., to be a Canon of Peterborough.

Rev. H. Calthrop, B.D., to be Preb. of Lichfield.

Rev. E. Tottenham, to be Preb. of Wells.

CIVIL PREFERMENTS.

William Martin, esq., to be Chief Justice of New Zealand.

Rev. Dr. Reid, to the Chair of Ecclesiastical History, Glasgow.

MAY.

GAZETTE PROMOTIONS.

1. Major-Gen. Sir George Arthur, knt., created a Baronet.

5. Col. C. R. Fox, to be Surveyor-General of the Ordnance.

7. Patrick Morris, esq., to be Treasurer of Newfoundland.

10. Alexander Shepherd, esq., to be Treasurer of New Zealand; Thomas Welsh, esq., to be Attorney-Gen. of Van Diemen's Land; Samuel Geo. W. Archibald, to be Master of the Rolls, James W. Johnston, Attorney-Gen., and J. B. Uniacke, Solicitor-Gen. of Nova Scotia.

— Geo. Lloyd Hodges, esq., (late Consul in Egypt) to be Consul at Hamburgh; Charles John Barnett, esq., (late Consul at Warsaw), to be Consul in Egypt.

12. Knighted, Samuel Hancock, esq., Senior Exon of the Yeomen of the Guard.

14. John Sealy, esq., to be Solicitor-general of Barbadoes; Stephen Bourne, esq., to be Registrar of Berbice.

15. Sir Jacob Astley, bart., summoned to the House of Peers as Baron Hastings, he being one of the heirs of Sir John de Hastings, who sat in Parliament in 18 Edw. I.

— Niven Moore, esq., (late Consul at Beirout) to be Consul at Aleppo.

19. The Hon. and Rev. E. T. Keppel, to be one of the Deputy Clerks of the Closet to her Majesty.

NAVAL APPOINTMENTS.

Rear-Admiral Sir Wm. Parker, K.C.B., to be Commander-in-Chief in India and the China Seas; Rear-Adm. R. Thomas to be Commander-in-Chief in the Pacific.

The Earl of Caledon chosen a Representative Peer for Ireland.

MEMBER RETURNED TO PARLIAMENT.

Sandwich.—Hugh Hamilton Lindsay, esq.

ECCLESIASTICAL PREFERMENTS.

Rev. H. Pepys, D.D. to be Bishop of Worcester.

Rev. T. V. Short, D.D, to be Bishop of Sodor and Man.

Rev. W. K. Hamilton, to be Canon of Salisbury.

Rev. J. Edwards, to be Canon of Durham.

Rev. J. Ashley, to be Preb. of Ely.

JUNE.

GAZETTE PROMOTIONS.

3. Master Archibald Henry Plantagenet Stuart Wortley, to be Page of Honour to Her Majesty.

12. Lord Blayney elected a Representative Peer for Ireland.

— George Hayter, esq., to be Principal Painter in Ordinary to her Majesty.

19. The Hon. Edward John Stanley, to be Paymaster-General.

22. Sir John Campbell, knt., her Majesty's Attorney-Gen., created a Baron of the United Kingdom, by the title of Baron Campbell, of St. Andrew's, co. Fife.

23. The Right Hon. Sir George Grey, sworn Chancellor of the Duchy

PROMOTIONS.

of Lancaster. — Edward Horsman, esq., and the Hon. W. F. Cowper, to be Commissioners of the Treasury, *vice* Steuart and Parker.—Capt. J. W. Deans Dundas, to be one of the Commissioners of the Admiralty, *vice* Sir W. Parker.—The Right Hon. Richard Lalor Sheil, to be Advocate-General.—Col. the Hon. George Anson, to be Clerk of the Ordnance.—Capt. James Hanway Plumridge, to be Storekeeper of the Ordnance. — Alexander Bannerman, esq., to be one of the Commissioners of Greenwich Hospital.

25. The Hon. James Howard, to be one of the Grooms in Waiting in Ordinary to her Majesty.

28. The Right Hon. Fox Maule sworn of the Privy Council.—The Right Hon. George Stevens Byng, to be Treasurer of her Majesty's Household, *vice* the Earl of Surrey; and the Right Hon. Lord Arthur Marcus Cecil Hill, Comptroller to her Majesty's Household, *vice* Byng.

29. Vice-Adm. John Chambers White, Rear-Admirals Charles Richardson, C.B., Sir Arthur Farquhar, knt., C.B., and Commodore Sir James John Gordon Bremer, knt., C.B., to be Knights Commanders of the Bath. — Captains Sir H. F. Senhouse, knt., Thomas Herbert, the Hon. R. S. Dundas, Thomas Bourchier, James Scott, C. R. D. Bethune, Joseph Nias, and Thomas Maitland, all of the Royal Navy, to be Companions of the Bath.—Marcus Costello, esq., to be Attorney-general of Gibraltar.

The Earl of Arran elected K.P.

More O'Ferrall, esq., appointed Secretary to the Treasury, *vice* Gordon; and John Parker, esq. (late a Lord of the Treasury) Secretary to the Admiralty, *vice* O'Ferrall.

Naval Promotions.

The following officers serving in H.M. ships in China have been promoted:—To be Captains: Commanders William Belcher, of the Sulphur; P. J. Blake, Larne; Wm. Warren, Hyacinth; Harry Eyres, Modeste.—To be Commanders: Lieuts. George Goldsmith, Druid; Henry Kellet, Starling; R. B. Watson, Calliope; John Hay (*b*), Pylades; J. E. Bingham, Modeste; J. P. Bower, Samarang.

Ecclesiastical Preferments.

Rev. G. A. Selwyn, M.A., to be Bishop of New Zealand.

Rev. Sir H. Oakeley, to be Archdeacon of Colchester.

Rev. W. K. Hamilton, to be a Canon of Salisbury.

Civil Preferments.

W. N. Welsby, esq., to be Recorder of Chester.

Rev. D. Pooley, to be Head Master of Oundle Grammar School.

Major-General Archibald Robertson elected a Director of the East India Company.

John Cottingham, esq. (Recorder of Chester) to be a Metropolitan Police Magistrate.

JULY.

Gazette Promotions.

1. Francis Offley Martin, of Lincoln's-inn, esq., Barrister-at-Law, to be an Assistant Tithe Commissioner for Special purposes.

6. The Earl of Surrey, to be Captain of the Yeomen of the Guard, in the room of the Earl of Ilchester, resigned.

19. Thomas Frederick Elliott, esq., the Hon. Edw. Ernest Villiers, and John George Shaw Lefevre, esq., to be Commissioners for superintending the sale and settlement of the Waste Lands of the Crown in the British Colonies.

20. Thomas Harpur, esq., to be Registrar of Deeds in the island of St. Christopher.

Lord Castlemaine has been elected a Representative Peer of Ireland.

Lieut.-General Sir Hugh Gough, K.C.B., has been appointed Commander-in-Chief of the Company's Forces on the Madras Establishment.

Ecclesiastical Preferment.

Rev. W. K. Hamilton, to be Treasurer and Canon of Salisbury.

Civil Preferments.

Rev. D. G. Bishop, to the Mastership of Buntingford Grammar School.

PROMOTIONS.

Rev. W. Boulton, to be Head Master of Wem Grammar School, Salop.

Rev. J. W. Donaldson, to be Head Master of Bury-St.-Edmund's Grammar School.

AUGUST.

GAZETTE PROMOTIONS.

3. Sir Charles Augustus Fitz Roy, knt., to be Governor and Commander-in-Chief of the islands of Antigua, Montserrat, Bermuda, St. Christopher's, Nevis, Arguilla, the Virgin Islands, and Dominica.

10. The election of the sixteen Representative Peers of Scotland took place in the Picture Gallery of the Palace of Holyrood. The following were elected:—The Marquis of Tweeddale; the Earls of Morton, Elgin, Airlie, Leven and Melville, Selkirk, Orkney, and Seafield; Viscounts Arbuthnot and Strathallan; Lords Forbes, Saltoun, Sinclair, Colville (of Culross), Reay, and Rollo; and the Marquis of Queensbury.

11. *Whitehall.*—The Queen has granted the dignity of Baron of the United Kingdom, to the following:—Right Hon. Henry Charles Howard, commonly called Earl of Surrey, summoned to the House of Peers, by the style and title of Baron Mal Travers.—Gen. John Earl of Stair, to be Baron Oxenfoord, of Cousland, co. Edinburgh; with remainder to his brother, North Dalrymple, of Fordel and Cleland, esq.—Valentine, Earl of Kenmare, to be Baron Kenmare, of Castle Rosse, co. Kerry.—Right Hon. Geo. Hamilton Chichester (Earl of Belfast), to be Baron Ennishowen and Carrickfergus, of Ennishowen, co. Donegal, and of Carrickfergus, co. Antrim.—Lord Barham, to be Baron Noel of Ridlington, co. Rutland, Viscount Campden of Campden, co. Gloucester, and Earl of Gainsborough, co. Lincoln.—Lord Segrave, to be Earl Fitzhardinge.—Lieut.-Gen. Right Hon. Sir Richard Hussey Vivian, bart., G.C.B., to be Baron Vivian, of Glynn and of Truro, co. of Cornwall.—Right Hon. Sir H. Brooke Parnell, bart., to be Baron Congleton, co. of Chester.

12. The Hon. Eleanor Stanley, to be one of the Maids of Honour in Ordinary to Her Majesty.

17. Wm. Pitt Adams, now Secretary Legation at Bogota, to be Secretary of Legation to the Mexican Republic.—Sir Henry Pottinger, bart., to be Chief Superintendent of British Trade in China.—Charles H. Lander, esq., to be Consul at the Dardanelles.—Robert Steuart, esq., to be Chargé d'Affaires and Consul-General to the Republic of New Granada.—Alfred Septimus Warne, esq., to be Consul at Cairo.—Robert Taylor, esq., to be Consul at Bagdad.—Edward Thompson Curry, esq., to be Consul at Ostend.—Richard Ryan, esq., to be Consul at Para.

19. Lord Sydenham, to be K.G.C. of the Bath.

20. H. Vere Huntley, Commander R.N., to be Lieut.-Governor of Prince Edward Island.—Rich. Clement Moody, Lieut. Roy. En., to be Lieut.-Governor of the Falkland Islands.—John Carr, esq., to be Chief Justice of Sierra Leone and its dependencies.—Charles Zachary Macaulay, esq., to be Registrar of the Court of First Instance in the Island of Mauritius.—Francis Cyrrie Sheridan, esq., to be Treasurer of the Island of Mauritius.—Alban Charles Stonor, esq., to be Crown Solicitor in Van Dieman's Land.—Peter Fraser, esq., to be Treasurer of the Island of Van Dieman's Land.—John Burnett, esq., to be Sheriff of Van Dieman's Land.—John Laurence Stodart, esq., to be Consul at Alexandria.—James Lilburn, esq., to be Consul in the Island of Cyprus.—Daniel Florence O'Leary, esq., to be Consul at Puerto Cabello.—Capt. Charles Elliot, R.N., to be Consul to the Republic of Texas.—Col. Gustavus Charles Du Plat, to be Consul at Warsaw.—Col. Hugh Rose, to be Consul-General in Syria.—Henry Suter, esq., to be Consul at Kaisseriah.

21. *Whitehall.* George Le Fevre, M.D., Physician to the Embassy of St. Petersburgh, knighted.

23. The Queen has been pleased to grant the dignity of a Baronet to the following gentlemen:—Henry Dymoke, of Scrivelsby Court, co. Linc., esq.; Thos. Joseph Trafford, of Trafford Park, co. Lanc., esq.; W. Lawson, of Brough Hall, co. York, esq.; C. Tempest, of Broughton Hall, co. York, esq.; And. Armstrong, of Gallen Priory, in King's County, esq.; Wm. Clay, of Fullwell Lodge, co. Midd., esq.—John M'Taggart of Ardwell, co. Wigtown, esq.; Henry Winston Barron, of Bellevue, of co. Kilkenny, esq.; Geo. Gerard de Hochepied Larpent, of Roehampton,

PROMOTIONS.

Surrey, esq.—Denis Le Marchant, of Chobham Place, Surrey, esq. — Isaac Lyon Goldsmid, of St. John's Lodge, Regent's Park, and of the Wick, Brighthelmstone, esq.; John Easthope, of Fir Grove, Surrey, esq.; John Power, of Roebuck House, co. Dublin, and of Sampton, co. Wexford, esq.

24. *Downing-street.* Rear-Admiral Francis Mason, Comp. of the Bath, to be Knight Commander of the Order.—Rt. Hon. Sir Charles E. Grey, knt., to be Governor and Commander-in-Chief of the islands of Barbadoes, St. Vincent, Tobago, Trinidad, St. Lucie, and their dependencies. — Hamelyn Trelawney, esq., Lieut-Col. Royal Art., to be Governor of St. Helena.—Somerville W. Harcourt Ramsbottom, esq., to be Secretary and Clerk of the Council, and Remembrancer of the Court of Exchequer in Barbadoes.—Benjamin Chilley Campbell Pine, esq., to be Queen's Advocate in the Colony of Sierra Leone. Francis W. Price, esq., to be Secretary and Clerk of the Crown in the Virgin Islands.

— *Foreign Office.* Hon. C. Spencer Cowper, now Secretary of Legation at Florence, to be Secretary of Legation at Stockholm. — And. Buchanan, now first Attaché at St. Petersburg, to be Secretary of Legation at Florence.—C. Walsingham Turner, esq., to be Consul at Mobile.

25. John Samo, esq., to be Commissary Judge in the British and Brazilian Court of Mixed Commission established at Rio de Janeiro.—Sir George Jackson to be Judge in the British and Netherlands Mixed Court of Justice established at Surinam.—Captain George Poulett Cameron, 40th Madras N. Inf., Lieut.-Col. in Persia, to be C.B.

27. Lieut.-Gen. Sir Howard Douglas, bart., K.C.B., and Lieut.-Gen. Sir Lionel Smith, bart., K.C.B., Governor of the Mauritius, to be G.C.B. — James Fitzgibbon, esq., to be Clerk of the Legislative Council of the Province of Canada;—Joseph Cary, esq., to be Deputy Inspector-General of Public Accounts in Canada;—John Davidson, esq., to be Commissioner of Crown Lands in Canada;—Hamilton H. Killaly, esq., to be President of the Board of Works in Canada;—R. B. Sullivan, esq., to be President of the Committee of the Executive Council in Canada;—Thomas Parke, esq., to be Surveyor-General of Canada;—R. A. Tucker, esq., to be Registrar of Canada.—John Mantell, esq., to be Queen's Advocate and Police Magistrate for Her Majesty's Settlements on the Gambia.—Thomas de Grenier de Fonblanque, esq., to be Consul-General in Servia.

28. Beverley Newcommer, esq., to be Her Majesty's Consul at Paraiba.

CHAPLAIN.

Hon. and Rev. B. W. Noel, to be Chaplain in Ordinary to the Queen.

SEPTEMBER.

GAZETTE PROMOTIONS.

2. William T. Young, esq., to be Consul at Jerusalem.—William Perry, esq., Consul at Panama.—Lieut.-Col. C. L. Fitzgerald (now Consul at Carthagena) Consul at Mobile.—Charles Walsingham Turner, esq., Consul at Carthagena.

3. James Archibald Lord Wharncliffe, declared Lord President of the Privy Council.—John Lord Lyndhurst, sworn Lord High Chancellor of Great Britain and Ireland. — Richard Plantagenet Duke of Buckingham and Chandos, sworn Keeper of the Privy Seal.—The Earl of Aberdeen, Lord Stanley, and the Right Hon. Sir James Graham, bart., to be three of Her Majesty's Principal Secretaries of State.—Thomas Philip Earl de Grey, Lieut.-General and General-Governor of Ireland.—Frederick, Earl of Ripon, and, in his absence, the Right Hon. William Ewart Gladstone, President of the Committee of Council for Trade and Foreign Plantations.—Lord Granville Charles Henry Somerset, sworn Chancellor of the Duchy of Lancaster. — The Earl of Liverpool to be Lord Steward of Her Majesty's Household.

4. The Right Hon. Henry Goulburn, to be Chancellor and Under Treasurer of Her Majesty's Exchequer.—The Rt. Hon. Edward Lord Ellenborough, Her Majesty's Commissioner for the Affairs of India.—George Earl of Jersey, to be Master of the Horse to Her Majesty.—Major-Gen. the Right Hon. Sir Henry Hardinge, K.C.B., to be Secretary at War.—The Right Hon. Sir Wm. Rae, bart., to be Her Majesty's Advocate for Scotland.

6. The Right Hon. Sir Robert Peel,

PROMOTIONS.

bart.; the Right Hon. Henry Goulburn; James Milnes Gaskell, esq.; Henry Bingham Baring, esq.; Alexander Percival, esq.,; and Alexander Pringle, esq., to be Commissioners for executing the offices of Treasurer of the Exchequer of Great Britain and Lord High Treasurer of Ireland.—Thomas Earl of Haddington; Adm. the Rt. Hon. Sir George Cockburn, G.C.B.; Vice-Adm. Sir Wm. Hall Gage, knt.; Capt. Sir G. F. Seymour, knt.; Capt. the Hon. William Gordon; and the Right Hon. Henry Thos. Lowry Corry, to be Commissioners for executing the office of High Admiral of the United Kingdom.

— The Right Hon. William Lowther (commonly called Viscount Lowther) summoned to the House of Peers, by the title of Baron Lowther, of Whitehaven, in the county of Cumberland.

8. Earl Delawarr, to be Lord Chamberlain of Her Majesty's Household; Lord Forester, Captain of Her Majesty's Hon. Corps of Gentlemen-at-Arms; Marquis of Lothian, Captain of Her Majesty's Yeomen of the Guard.

— The Right Hon. Sir Edward Knatchbull, bart., to be Paymaster-general.

— Dr. John Nicholl, to be Advocate-general or Judge-martial of Her Majesty's forces.

— Knighted, by patent, Col. Francis Cockburn, Governor of the Bahama Islands.

9. Earl Jermyn, to be Treasurer, and Col. the Hon. George Lionel Dawson Damer, Comptroller, of Her Majesty's Household.

— Lord Lowther, to be Postmaster-general.

— The Right Hon. William Ewart Gladstone, to be Master of the Mint.

— Lieut.-Gen. the Right Hon. Sir George Murray, G.C.B., to be Master-general of the Ordnance; Lieut.-Col. Jonathan Peel, to be Surveyor of the Ordnance; Captain Henry George Boldero, to be Clerk of the Ordnance; and Francis Robert Bonham, esq., Storekeeper of the Ordnance.

— Duncan M'Neill, esq., to be Solicitor-general for Scotland.

— Knighted, at Dublin, Nicholas Fitzsimon, esq.

10. The Duchess of Buccleuch, to be Mistress of the Robes.

— The Marquess of Ormond, Earl of Warwick, Earl of Morton, Earl of Hardwicke, Viscount Sydney, and Lord Rivers, to be Lords in Waiting to Her Majesty; and John Ralph Ormsby Gore, esq., one of Her Majesty's Grooms in Waiting.—The Earl of Rosslyn to be Master of Her Majesty's Buck-hounds.—Lord Charles Wellesley, to be Chief Equerry and Clerk-Marshal; and Col. C. G. J. Arbuthnot, to be Equerry in Ordinary to Her Majesty.

14. John William Earl of Sandwich, sworn Lord Lieutenant of the county of Huntingdon.

— The Marquess of Exeter, to be Groom of the Stole, and Admiral the Lord Colville Lord in Waiting, to Prince Albert.

15. Viscount Hawarden to be one of the Lords in Waiting to Her Majesty.

16. John Young, esq., to be one of the Lords of the Treasury, *vice* Perceval.

— The Earl of Lincoln, Alexander Milne, esq., and the Hon. Charles Alexander Gore, to be Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings.

20. The Countess of Dunmore, to be a Lady of the Bedchamber, and the Hon. Mrs. Georgiana Mary Anson, to be one of the Bedchamber Women in Ordinary to Her Majesty.

21. Capt. the Hon. Alex. Nelson Hood, to be one of the Grooms in Waiting in Ordinary to Her Majesty.

24. Capt. the Hon. A. Duncombe, to be a Groom in Waiting.

25. Viscountess Jocelyn, to be a Lady of the Bedchamber.

27. The Duke of Argyll, to be Keeper of the Great Seal of Scotland.

— Sir Charles Bagot, G.C.B., to be Governor of Canada.

29. The Rt. Hon. Sir James Graham and Lord Ashley, to be two of the Ecclesiastical Commissioners for England.

Naval Appointments.

Vice Admiral Sir C. Adam, K.C.B., to be Commander-in-Chief on the North-American and West-Indian stations.—Rear-Admiral Sir F. Mason, K.C.B., to be second in command of the Mediterranean fleet.

Members returned to Parliament.

Bradford.—William Busfield, esq.
Bridport.—Alexander Cochrane, esq.

PROMOTIONS.

Lichfield.—Lord Leveson.
Sunderland.—Lord Viscount Howick.
Westmoreland.—William Thompson, esq., Alderman of London.
Yorkshire (*N.*)—Hon. O. Duncombe.

Ecclesiastical Preferment.

Rev. W. H. Simpson, to be Prebendary of Chichester Cathedral.

Civil Preferments.

Rev. T. Arnold, D.D., to be Regius Professor of Modern History and Modern Languages at Oxford.

Rev. R. Atkinson, to be Head Master of Langton School, Yorkshire.

OCTOBER.

Gazette Promotions.

9. The Right Hon. David Boyle, to be Lord Justice General and President of the Court of Session in Scotland.

— The Hon. Charles Hope, to be one of the Commissioners of Greenwich Hospital.

— Knighted, by patent, Henry Huntley, esq., Commander, R.N.

14. Major-Gen. Sir Hugh Gough, K.C.B., to be G.C.B.; Capt. Thomas Herbert, R.N., C.B., to be K.C.B.; —Col. G. Burrell, 18th Foot; Lieut.-Col. Morris, 49th Foot; Lieut.-Colonel Adams, 18th Foot; Lieut.-Col. Mountain, 26th Foot; and Lieut.-Col. Pratt, 26th Foot, to be C.B. (for services in China.)

— Captains Edward Belcher, William Warren, Harry Eyres, and Charles Anstruther Barlow, R.N., to be Companions of the Bath.

18. John Hope, esq., Dean of Faculty in Scotland, to be Her Majesty's Justice Clerk and President of the Second Division of the Court of Session in Scotland, and also one of the Senators of the College of Justice there.

19. Lord Cowley, G.C.B., to be Ambassador Extraordinary and Plenipotentiary to the King of the French.—Lord Stuart de Rothesay, G.C.B., to be Ambassador Extraordinary and Plenipotentiary to the Emperor of All the Russias.—Sir Stratford Canning, G.C.B. to be Ambassador Extraordinary and Plenipotentiary to the Sublime Ottoman Porte.—Sir Robert Gordon, G.C.B., to be Ambassador Extraordinary and Plenipotentiary to the Emperor of Austria. —Lord Burghersh, K.C.B., to be Envoy Extraordinary and Minister Plenipotentiary to the King of Prussia.

20. Lord Heytesbury, G.C.B., to be Governor and Captain of the Isle of Wight, and Governor of Carisbrook Castle.

23. Lord Fitzgerald and Vesci to be Her Majesty's Commissioner for the Affairs of India.

For Services at Canton, Lieutenants C. C. Dawkins and W. C. Metealfe, to be Commanders. — Lord Amelius W. Beauclerk, George Walker, W. R. Rolland, A. C. C. Denny, and W. H. Symons, to be Lieutenants.

— Lord Ellenborough to be Governor-general of India.

28. James Lewis Knight Bruce, esq., to be first Vice-Chancellor under the Act, passed in the last session of Parliament, for making further provisions for the administration of justice; and James Wigram, esq., to be second Vice-Chancellor, under the said Act.

29. Albert William Woods, esq., Portcullis Pursuivant of Arms, to be Norfolk Herald of Arms Extraordinary.

Members returned to Parliament.

Cavan County.—John Young, esq., re-elected.
East Retford.—Hon. A. Duncombe, Capt. R.N.
Hereford.—Robert Pulsford, esq.
Portarlington.—Right Hon. Col. G. L. Dawson Damer, re-elected.
Ripon.—Right Hon. Sir G. Cockburn.
Sligo County.—John Ffolliott, esq.
Tyrone County.—Right Hon. H. T. Lowry Corry, re-elected.
Wilton.—Viscount Somerton.

Ecclesiastical Preferments.

Rev. G. A. Selwyn, consecrated the first Bishop of New Zealand.

Rev. E. B. Ramsay, to be Dean of Edinburgh.

Civil Preferments.

Rev. W. Whewell, B.D., to be Master of Trinity College, Cambridge, *vice* Wordsworth, resigned.

Rev. T. B. Fooks, to be Master of Thame Grammar School.

Rev. W. Stone, to be Head Master

PROMOTIONS.

of Newcastle-under-Lyme Grammar School.

Rev. T. W. Weare, to be a Master of Westminster School.

NOVEMBER.

Gazette Promotions.

3. James Earl of Lauderdale, to be Lieutenant and Sheriff Principal of the shire of Berwick.

6. Albert William Woods, esq., Norfolk Herald Extraordinary and Portcullis Pursuivant of Arms, to be Lancaster Herald.

9. Lord Granville C. H. Somerset, the Right Hon. W. E. Gladstone, the Hon. W. B. Baring, J. M. Gaskell, esq., and Alex. Pringle, esq., to be Commissioners for conducting an inquiry into the details of the Establishments of the several Departments of Customs, Excise, and Stamps and Taxes.

22. His Royal Highness Prince Albert, Lord Lyndhurst, the Duke of Sutherland, K.G., the Marquess of Lansdowne, K.G., the Earl of Lincoln, the Earl of Shrewsbury, the Earl of Aberdeen, Lord John Russell, Lord Francis Egerton, Viscount Palmerston, Viscount Melbourne, Lord Ashburton, Lord Colborne, the Right Hon. C. S. Lefevre, Sir Robert Peel, bart., Sir J. R. G. Graham, bart., Sir R. H. Inglis, bart., H. Gally Knight, esq., Benj. Hawes, jun. esq., Henry Hallam, esq., Samuel Rogers, esq., George Vivian, esq., and Thomas Wyse, esq., to be Commissioners for inquiring into the best mode of promoting the Fine Arts in the United Kingdom.

24. Brevet Promotion,— To be Generals, the Lieut.-Generals whose commissions are dated on or before May 27, 1825.—To be Lieut.-Generals, the Major-Generals whose commissions are dated on or before July 22, 1830.—To be Major-Generals, the Colonels whose commissions are dated from July 22, 1830, to May 20, 1836, inclusive.—To be Colonels, the Lieut.-Colonels of 1826, 1827, and 1828.—To be Lieut.-Colonels, the Majors of 1826 to 1829.—To be Majors, the Captains of 1826 to 1828.

27. Knighted by patent, Col. Richard Doherty.

29. Sir Edmund Walker Head, bart., to be one of the Poor Law Commissioners for England and Wales.

30. To be Naval Aides-de-Camp to Her Majesty, — Captains Sir Charles Napier, K.C.B., Sir N. J. Willoughby, C.B., K.C.H., Sir Thomas Fellowes, C.B., and Edward Henry A'Court.

Ecclesiastical Preferments.

Rev. Edward Hudson, to be Dean of Armagh.

Rev. W. E. Evans, to be a Prebendary of Hereford.

Rev. J. Venables, to be a Prebendary of Salisbury.

Civil Preferments.

J. A. Lawson, LL.B., to be Whately Professor of Political Economy, Trinity College, Dublin.

Rev. H. B. Mason, to be Head Master of Brewood Grammar School, Staffordshire.

Mr. R. Potter, M.A., Fellow of Queen's College, Cambridge, to be Professor of Natural Philosophy and Astronomy in University College, London.

2. The following were called within the bar as Queen's Counsel, — Wm. Whateley, esq., Richard Godson, esq., Sutton Sharpe, esq., C. J. Knowles, esq., M. T. Baines, esq., the Hon. J. Stuart Wortley, and A. J. E. Cockburn, esq.

In Ireland, the Right Hon. Edward Pennefather has been appointed Lord Chief Justice of the Queen's Bench, *vice* Bushe, retired..—J. D. Jackson, esq., to be Solicitor-gen.; and Mr. West, the new Serjeant.

DECEMBER.

Gazette Promotions.

2. The Duke of Buccleuch and Queensberry, K. G., to be Lieutenant and Sheriff Principal of the shire of Roxburgh.

— Albert William Woods, esq., to be Gentleman Usher of the Scarlet Rod of the Most Honourable Military Order of the Bath (to which is annexed the office of Brunswick Herald).

3. Charles Lock Eastlake, esq., to be Secretary to the Commission for inquiring whether advantage might not be taken of the rebuilding of the Houses of Parliament, for promoting and encouraging the Fine Arts.

4. His Royal Highness the Prince of

PROMOTIONS.

the United Kingdom of Great Britain and Ireland (Duke of Saxony, Duke of Cornwall and Rothsay, Earl of Carrick, Baron of Renfrew, Lord of the Isles, and Great Steward of Scotland), created Prince of Wales and Earl of Chester.

9. Capt. Atkins Hamerton, of the Hon. E. I. C.'s Service, to be Her Majesty's Consul in the dominions of the Imaum of Muscat.

10. Lord Wharncliffe sworn Lord Lieutenant and Custos Rotulorum of the West Riding of the county of York.

16. Lieut.-Colonel George Macdonald, to be Governor of Sierra Leone.

20. Hon. Alex. Lord Ashburton; the Right Hon. John Nicholl, Judge Advocate-general; George Carr Glyn, esq.; and John Shaw Lefevre, esq., to be Commissioners to conduct investigation at the issuing of Exchequer Bills.

CIVIL PREFERMENTS.

Rev. P. Abbot, to be Master of Queen Mary's School, Clitheroe.

Rev. W. Collett, to be Principal of King's College School, at Nassau, New Providence, Bahamas.

Rev. T. Evans, to be Head Master of the College School at Gloucester.

W. Webster Fisher, M.D., to be Downing Professor of Physic at Cambridge.

Rev. A. M'Caul, D.D., to be Professor of Hebrew and Rabbinical Literature in King's College, London.

DEATHS.

1840.

MARCH.

16. In France, aged 49, Félis Savart, a philosopher distinguished more especially for his researches in the science of Acoustics; he was born on the 30th of June, 1791, at Mézières, the capital of the Department of the Ardennes, in France. His parents had been connected with the school of engineers at Mézières; and several of his relations having been distinguished as artists, he was himself educated with a view to the same destination, to which, from a very early period, he had evinced a decided inclination. But the family afterwards removing to Metz, the path which had at first been marked out for him was abandoned, and he prepared himself for another profession, by directing his whole attention to medicine. After taking a degree in medicine in the University of Strasbourg, he returned to his paternal roof at Metz, with the intention of settling, and of applying himself diligently to the practice of his profession. But on being restored to the scene of his youthful occupations, the renewed sight of those philosophical instruments to which so many delightful associations were attached, rekindled in full force the innate predilection for the physical sciences. Confiding in his knowledge of Acoustics, which was ever his favourite study, and in which he conceived he had made discoveries, he quitted his provincial domicile and repaired to the metropolis, as to the mart where his acquisitions would be best valued. He arrived in Paris with but scanty means of immediate support, without a friend, and unprovided with a single letter of recommendation. But Fortune took him by the hand, and favoured his first endeavour to obtain notice. He presented himself to Biot, and communicated to him his views, and the results of his researches in Acoustics. He met with the kindest reception from that philosopher, who had himself been occupied with similar inquiries, and was well qualified to appreciate the merits of Savart. Biot was ever after his friend and patron, and it was chiefly through his influence that Savart was, in the year 1820, appointed Professor of Natural Philosophy in one of the Institutions at Paris; an office which he continued to hold till the year 1827, when he was nominated a Member of the Academy of Sciences. Soon after this, he was associated with Thénard, as Conservator of the Cabinet of Physics of the College of France. Thus raised to a state of independence, he had full leisure to devote himself to the science he had ever particularly cherished, and of which his labours have greatly extended the boundaries. His admirable researches on the laws of the vibrations of solid bodies of different forms and kinds, and in particular, of cords, of membranes, of rods, whether straight or bent, or of an annular shape; of flat discs, and of solids of revolution,

both solid and hollow, have furnished results of great value and importance. His investigation of the structure and functions of the several parts of the vocal organs, and his theory of the voice, both in man and in the lower animals, show great originality of research, and have thrown considerable light on a very difficult department of Physiology. Savart was elected, in the year 1839, a Foreign Member of the Royal Society, an honour which his unconquerable prejudice against the English, and everything emanating from England, prevented his ever acknowledging.

28. In his 90th year, Simon L'Huillier, for many years Professor of Mathematics at Geneva, born in that city on the 24th of April, 1750. He had, at a very early period of life, manifested his extraordinary aptitude for mathematical studies, and completed his education at the University of his native city, with great applause, Bertrand, who then occupied the chair of Mathematics, having marked him out as his probable successor; the counsel and assistance of Le Sage, who was his relative, having been of great service in the direction of his studies. He had the good fortune, at this critical time of his life, to be chosen tutor to Prince Czartorynski, with whom he remained for a period of thirteen or fourteen years, and dedicated to the father of his pupil his first work, which was published at Warsaw in 1782, under the title of "*De relatione mutuâ capacitatis et terminorum figurarum, geometricè considerata; seu de Maximis et Minimis pars prior elementaris*, and in which he treats geometrically, and with singular elegance and vigour of demonstration, all the elementary problems relating to isoperimetric figures and solids. About the same time he presented to the Academy of Berlin a memoir, which was afterwards published in its Transactions on the minima relating to the figure of the cells of bees, a subject which he appears, in that paper, to have exhausted. The prize proposed by the same Academy in 1786, was adjudicated to him for a memoir, which was since published under the title of "*Exposition élémentaire des principes des calculs supérieurs*. On his return to Geneva in 1789, L'Huillier published an opuscle, which acquired great celebrity, entitled "*La Polygonométrie; ou de la mésure des figures rectilignes et abrégé d'isopérimétrie élémentaire, ou de la dépendance mutuelle des grandeurs et des limites des figures;*" at the conclusion of which he gives a masterly summary of his former researches on elementary isoperimetry. During the tempestuous years of the Revolution, L'Huillier sought in Germany the retirement so necessary to his pursuits; and chose Tubingen as his residence. The fruit of his labour during this seclusion was a work almost wholly new, which appeared at Tubingen, in 1795, under the title "*Principiorum calculi differentialis et integralis expositio elementaris.*" He was invited about this time, to the chair of the Higher Mathematics in the University of Leyden; but his attachment to his native country was too deeply rooted to admit of his accepting this flattering offer; and eventually, in June of the same year, 1795, he attained the object of his highest ambition, by receiving, after a successful public competition, the appointment of Professor of Mathematics in the Academy of Geneva. He subsequently published many works of the highest merit in the science of Mathematics. L'Huillier held the Professorship with the highest reputation for twenty-five years, when, feeling the pressure of age and infirmity, he resigned the Chair, to the great regret of his pupils, of whom many are among the most distinguished philosophers of the Continent.

AUGUST.

11. At his residence in Duke-street, Westminster, in his 69th year, John Rickman, esq., F.R.S, Clerk Assistant at the Table of the House of Commons. Mr. Rickman was descended from an ancient Hampshire family; his grandfather, Mr. William Rickman, of Postbrook, near Fareham, as Commissary for the Spanish prisoners, is honourably mentioned by Ulloa, who, in the course of his scientific voyages, was captured, and detained a prisoner of war in Portsmouth Harbour, A.D. 1745. The Rev. Thomas Rickman, his eldest son, was the incumbent of Newburn in Northumberland, from whence he removed to the living of Compton, near Winchester; this he afterwards exchanged for the Rectory of Ash, mid-

way between Farnham and Guildford. In the decline of life he retired from his clerical duties, and went to reside at Christ-church in the New Forest, in the midst of his family connexions, where he died in 1809. John Rickman, his only son, the subject of the present memoir, was born at Newburn on the 22nd of August, 1771; he was placed at the Guildford Grammar School, in 1781, of which the Rev. Samuel Cole was at that time head-master; and in 1788 he was entered at Magdalen Hall, Oxford, from whence he removed to Lincoln College. Having taken his degree, he subsequently devoted himself during several years to literary pursuits, and enjoyed the society of many who have since distinguished themselves as men of letters or of science. One of his contemporaries at college was Mr. Southey, who remained his most intimate friend, and most frequent correspondent to the last,—of this correspondence about one thousand letters are preserved. At this period of his life, Mr. Rickman conducted a monthly periodical called, *The Commercial, Agricultural, and Manufacturer's Magazine*, and he otherwise occupied himself with his characteristic eagerness upon investigations connected with political economy, and also with practical mechanics. Among his intimate friends at that time was Charles Lamb, who thus sketched his character in a letter (since published) to Mr. Manning, dated November 8, 1800. "I have made an acquisition latterly of a pleasant hand, one Rickman, to whom I was introduced by George Dyer. George brings all sorts of people together, setting up a sort of Agrarian law, or common property, in matter of society; but herein he has done me a great pleasure, while he was only pursuing a principle, as *ignes fatui* may light you home. This Rickman lives in our buildings, immediately opposite our house; the finest fellow to drop in a' nights about nine or ten o'clock—cold bread and cheese time—just in the witching-time of the night, when you wish for somebody to come in; without a distinct idea of a probable anybody: just in the nick, neither too early to be tedious, nor too late to sit a reasonable time. He is a most pleasant hand; a fine rattling fellow, has gone through life laughing at solemn apes—himself hugely literate, oppressively full of information in all stuff of conversation, from matter-of-fact to Xenophon and Plato—can talk Greek with Porson, politics with Thelwall, conjecture with George Dyer, nonsense with me, and anything with anybody; a great farmer, —somewhat concerned in the *Agricultural Magazine*,—reads no poetry but Shakspeare,—very intimate with Southey but never reads his poetry,—relishes George Dyer,—thoroughly penetrates into the ridiculous, wherever found,—understands the first time (a great desideratum in common minds), you need never twice speak to him; does not want explanations, translations, limitations, as Professor Godwin does when you make an assertion; up to anything, down to everything, whatever *sapit hominem;* a perfect man....You must see Rickman to know him, for he is a species in one; a new class....The clearest-headed fellow—fullest of matter with least verbosity." In 1801 Mr. Rickman removed to Dublin, having received the appointment of Private Secretary to the Right Honourable Charles Abbot, then made Chief Secretary for Ireland, under Lord Hardwicke, and Keeper of the Privy Seal; Mr. Rickman being specially empowered to act as Deputy Privy Seal. Upon the subsequent election of Mr. Abbot to be Speaker of the House of Commons, in February, 1802, Mr. Rickman having declined an office of considerable emolument, and one congenial to his tastes, which he had been solicited to accept at Dublin, preferred accompanying Mr. Abbot to London, where he became Speaker's Secretary, and continued in that office for twelve years. In July, 1814, he was appointed Second Clerk Assistant at the Table of the House of Commons, Mr. Dyson being at that time deputy to Mr. Hatsell the Clerk, and Mr. John H. Ley being Clerk Assistant. Upon Mr. Ley's appointment to the office of Clerk in 1820, Mr. Rickman became Clerk Assistant, which office he continued to hold until his death. Amongst Mr. Rickman's contributions to the convenience of the House, may be mentioned the arrangement of the Index of Statutes, which has lain on the table since 1818, when he originated it with considerable labour, and illustrated it with an apt preface; and also the selection of the books which form the library of the House of Commons, as exhibited in his

classified catalogue, printed in 1830. Mr. Rickman took a very active part in bringing about the improved system of the publication of the Votes and Proceedings of the House, which, previously to the year 1817, were seldom published till three or four days after the transaction of the business to which they referred, and drew up a very forcible representation of the advantages to be gained by an alteration of the then existing system, which he laid before Mr. Speaker Abbot, with a plan for carrying it into execution, and after it had received some improvement from the suggestions of Mr. Dyson and Mr. Ley, Mr. Abbot recommended it for adoption by the House. By this plan, it has been found practicable to publish them at an early hour of the morning following the transaction of the business. Mr. Rickman had also, in 1803, been chosen Secretary to the two Commissions appointed by Act of Parliament, for the making of Roads and Bridges in Scotland, and for the construction of the Caledonian Canal, and also to the Commission appointed in 1823, for building Churches in the Highlands and Islands of Scotland; and, in addition to his never-failing attendance at the House of Commons, he filled these other laborious offices for thirty years. But the work which chiefly occupied the thoughts, and prompted the studies and inquiries of Mr. Rickman from the commencement to the close of his career, was the Census of Great Britain. The population, as well as the area of the country, had long been involved in much obscurity. If any one thing could evince more strikingly than another the low state of geographical and statistical science in this country, previous to Mr. Rickman's inquiries, it would be the fact that Mr. Pitt, who had every wish to be accurate, and every means of obtaining the best information at his command, adopted an area of forty-six instead of thirty-seven millions of acres in England and Wales as the basis of his calculations respecting the income-tax. Dr. Price, in his Essay on the Population of England and Wales, published in 1779, contended that it had been progressively decreasing since the Revolution. This Essay excited a good deal of attention and controversy, and up to the beginning of the present century many had continued to take a gloomy view of our national resources. In 1796 Mr. Rickman wrote a paper entitled "Thoughts on the Utility and Facility of a general Enumeration of the People of the British Empire." This MS. may be considered as the origin of Mr. Rickman's future success in life; it was communicated by Mr. Rose, then member for Christchurch, to Mr. Abbot, who had turned his attention to the subject of population, and who, seeing at a glance the great powers of Mr. Rickman's mind, appointed him his private secretary in 1800 (as before stated), on his becoming Chief Secretary and Privy Seal in Ireland. The population inquiry was accordingly founded upon a bill introduced by Mr. Abbot, in the beginning of 1801, and it was conducted by Mr. Rickman at the several decennary periods of 1801, 1811, 1821, and 1831. The results were comprised in one volume, folio, at each of the three former periods, but those of 1831 occupied three volumes. The work is entitled "Abstract of the Answers and Returns made pursuant to an Act for taking account of the Population of Great Britain, and of the increase or diminution thereof." These three volumes were preceded by a volume, entitled, "A comparative account of the Population of Great Britain, 1801, 1811, 1821, 1831. Also a Statement of Progress in the Inquiry respecting the Occupations of Families and Persons, and the duration of Life: with the annual value of real property in the year 1815." The early completion of this preliminary work was unexpectedly and urgently required for the classification of boroughs in the framing of the Reform Bill; and, as an instance of the despatch used, it may be mentioned that this volume, of 400 pages, containing the digested results of 28,000 returns which were not received until August, was presented to Parliament upon the following December of 1831. The full abstract of the answers made by the clergy as to their parish registers, exceeding 14,000 in number, together with nearly 4,000 original letters and others in special explanation, have been deposited by Mr. Rickman in the British Museum, in two very large volumes, entitled, "Parish Registers, extant 1831." Prefixed to the census of 1831, is a preface, or rather an introductory treatise, in which is embodied a mass and a variety of information, which show the writer's extensive learning, and the singular adroitness with which

he brought it to bear upon the least promising subjects. A careful analysis of Mr. Rickman's work was given in the 53rd volume of the Quarterly Review. Mr. Rickman's suggestions towards the extended mode of inquiry to be adopted in 1831, in the form of evidence taken before the Committee on the bill, were reprinted during the last year with a view to the approaching census; and on the 21st of March, 1840, Mr. Rickman addressed a letter to Sir Henry Parnell, on the same subject. The bill for effecting this object, which had been prepared by him, was brought into the House on the 1st June; but at this stage Mr. Rickman's labours were interrupted by illness. Since the previous Easter he had been struggling against the rapid inroads of a fatal disorder in the throat; and on the 2nd June he was induced to desist from further attempts to attend to his duties at the House. This and other documents may show that the idea of deriving emolument from his labours was never present to his mind. A Population Act was executed by Mr. Rickman four several times, but the remuneration which he received (500 guineas for each on an average) was also considered as the reward of many intermediate labours, such as the various returns which he procured, and put in readiness for the press, on the following subjects;—1816-1836. Abstract of Poor Rate Return of 1748-49-50, for Mr. Sturges Bourne's Poor Law Committee, carried on annually for 20 years; causing 3,000 urgent letters annually at first, and 1,000 afterwards. 1833-4-5. Education Returns for Lord John Russell's Education Committee, 3 vols. 1837. Education Return for Scotland. 1838. Church-rate Return; on the motion of Mr. Wilks. 1839. Local Taxation: on the motion of Lord Eliot; being a compendium of his own returns from the earliest to the latest time, upon Poor-rates, County Rates, Highway Rates, and Church Rates,—the work of a whole year; illustrated with numerous remarks characteristic of his research, and intimate acquaintance with local history and fiscal knowledge. In 1836, Mr. Rickman applied to the Home Office for permission to obtain returns of ancient parish registers. Lord John Russell acceded to the request, and in prosecution of this object Mr. Rickman drew up one of his admirable circular letters, and a form of entry, which, in October of that year, he forwarded under cover of the Home Office to all such clergy as he knew possessed registers from the year 1570 to 1800. The returns were accordingly procured and abstracted, and one of the results of this inquiry, which was destined by Mr. Rickman to have appeared in the next census of 1841, is summed up in a tabular sheet, entitled, "Population of the several counties of England and Wales in 1570, 1600, 1630, 1670, 1700, and 1750, calculated on the supposition that the registered baptisms, burials, and marriages in those years bore the same proportion to the actual population as in the year 1801." This important work was left in complete readiness for the press, and has, together with his other official papers on population, been placed by his son at the disposal of the registrar-general. Mr. Rickman interested himself diligently in the useful application of the facts and numbers which he obtained, both as they formed the basis of life annuity calculations, and also as they illustrated the philosophy of health. With the latter view, perceiving the application of the facts and numbers he had collected to the philosophy of health, Mr. Rickman contributed many elaborate articles to the Medical Gazette in 1835, and corresponded with foreign statisticians, being well informed of the progress of the science throughout Europe, and ever prompt to combat the errors, or to profit by the sagacity of his continental neighbours. In testimony of the appreciation of his labours in France, he received, in 1833, a diploma as honorary member of the Société Française de Statistique Universelle. In similar pursuits he was continually bestowing upon public business an amount of energetic labour that can only be conceived by reviewing in detail the numerous services which he volunteered to render; although throughout the last twenty-six years his duties had been detaining him at the House of Commons after every member had quitted it at night. While conducting the affairs of the Highland Road and Bridge Commissioners, Mr. Rickman had frequent intercourse with their engineer, the celebrated Mr. Telford, whose disinterested zeal and sterling sense he highly prized. They continued in intimate friendship ever after; and Mr. Telford was encouraged, by Mr. Rickman's sug-

gestions, to occupy his latter days in writing his own life. Owing to the illustrations destined to accompany it not having been completed during Mr. Telford's lifetime, nor the MS. put in order for the press, Mr. Rickman became the editor of his friend's posthumous work, and published it in 1838, adding much matter and antiquarian illustration in the form of notes. From Mr. Rickman's intimacy with Mr. Telford, and his taste for mechanical science, he was well known to many in the profession of Civil Engineers, and in February, 1835, he was selected an honorary member of their excellent institution. In their annual report for the year 1841, a high encomium is passed upon Mr. Rickman, both for his talents, and for the very essential services which he rendered to the Institution, whenever application was made to him in its behalf. Mr. Rickman's acquaintance with Sir Joseph Banks had introduced him as a Fellow of the Royal Society in the year 1815. Although Mr. Rickman, from the nature of his public business, had necessarily much to carry through the press, he was very averse to publishing the productions of his leisure pen; among the works which he had printed for private circulation was, in conjunction with the late Dr. Smith, then dean of Christ Church, a volume, entitled "Military Thanks," being a collection of the speeches of his deceased patron, the Right Hon. Charles Abbot (the late Lord Colchester) in communicating the thanks of the House of Commons to military commanders, in 1807—16, with an Appendix of appropriate extracts, from the *Gazettes Extraordinary*, and a biographical sketch of his Lordship's useful and honourable career. He also printed a pamphlet upon Poor Law Amendment in 1832, on which subject he bestowed at all times great pains and much correspondence. Another, upon Poor Laws in Ireland, followed in 1833. On several other subjects he also printed his treatises, but for private circulation only. The last work which has appeared from Mr. Rickman's pen is a "Treatise on the Antiquity of Stonehenge and Abury," communicated to the Society of Antiquaries in the beginning of last year, and published in their "Archæologia." In an additional volume (still unpublished) to Mr. Southey's work, called, "Colloquies on the Progress and Prospects of Society, 1829," Mr. Rickman contributed a large portion of the arguments and illustrations, as the author's interlocutor. From time to time he had written a great number of lucubrations, evincing a wide range of knowledge and a singular readiness in bringing it to bear; amongst them may be numbered eighty-seven articles in the *Commercial and Agricultural Magazine*, in the years 1799, 1800, and 1801. Of a similar, but generally of a more antiquarian cast, about 100 loose papers are preserved, for the most part still in MS. A list of the chief of these is subjoined to a Memoir lately circulated by his son, of which the present is an abstract. A large collection of letters addressed to him has also been preserved, including many upon statistical, and many upon literary subjects; among the former the most remarkable are from the late Lord Colchester, Mr. Poole, Mr. Frend, Sir Francis D'Ivernois; and among the latter from Lamb, Coleridge, and Southey. These latter, together with George Dyer, Manning, Admiral Burney (the circumnavigator), Sharon Turner, William Smith, and Telford, formed the circle of his early friends; and by them his critical judgment and solid information were much sought and highly valued. For the late Aaron Arrowsmith, the hydrographer, and for the late Luke Hansard, the Parliamentary printer, he had the highest esteem, and in 1828 vindicated the latter before a Committee of the House with a timely and most cordial support, giving an admirable sketch of his life, and interesting details of his indefatigable devotion to the interests of the House of Commons. All of Mr. Rickman's own letters are remarkable for the abundance and the novelty of the information which they contain, as well as for a peculiar combination of courtesy and conciseness in their style; some were penned in Latin, *currente calamo*, during the tedium of a long night's debate. Mr. Rickman possessed a most retentive memory, its great natural powers having been strengthened by his mental habit of strict and appropriate arrangement. For, in addition to his vigorous intellect, he was gifted with an admirable faculty of contrivance, which enabled him so to digest and combine his stores of knowledge, that he felt himself at home on all topics, and seemed to possess an in-

tuitive familiarity with almost every subject. His discerning, severe, and solid judgment may be estimated from the manner in which he eliminated all extrinsic matter, and seized upon the really important topics of investigation, supporting them by arguments and illustrations at once exact, felicitous, and profound. His character has been thus sketched in a letter to his son by Mr. Sharon Turner:—"He was peculiarly a man of facts and realities, and well adapted to all things that required close attention, investigation, and continued mental labour. He was very anxious never to be deceived himself, and never to deceive others. He had not a philosophical cast of mind, nor did he view his subjects with that course and style of thought. But he saw his main points quickly and adhered tenaciously to them, and always threw light upon them. I would not call him a man of genius, but of a powerful and solid mind—quick, ardent, penetrating. Self-confident from experienced success in what he undertook, and not willing to yield his own opinions to the opposing conclusions of others—he was therefore rather peremptory, both from the strength of his own convictions, and his earnest desire that what he deemed right should be thought or deemed so by others: but it was always in good humour. He had a very straightforward, upright, and honest-meaning mind—with nothing of the base or shabby in it. I never saw anything like trick, or subterfuge, or fraud, or hypocrisy, in him: nor could he endure these in any other. He liked to skirmish in conversation, and so often attacked what he thought wrong in all parties, and in their leaders, that it was not easy to know what his settled opinions were on many of our political questions. He was at times a little impatient and stern; but whatever his manner might be, he was always a kind-hearted and worthy man,—one of steady, moral conduct,—and desirous that all should be so. I think his public fame will rest mainly and soundly on his labours, efficiency, and arrangement of our Population Census. His publications on this great subject deserve the highest commendations for the labour, discrimination, force of mind, patience of examination, sound judgment, and varied knowledge which they display. They seem to contain the substance of all that is most necessary to be known on this great and interesting subject." Since his connection with the House of Commons for a period of thirty-eight years, the life of Mr. Rickman may be best described as one course of disinterested zeal in the service of others. As the reward of much kindness and so much worth, he may be said especially to have enjoyed the good opinion and the deep respect of every individual who knew him. In 1805, he had married Susanna, daughter of Joseph Postlethwaite, esq., of Harting, Sussex, who deceased the 12th of May, 1836, and has left one son and two daughters. His body was interred in St. Margaret's Church, Westminster; where they had been constant and most conscientious attendants for more than thirty years. On the 2nd of Feb. 1841, the Speaker called the attention of the House of Commons to the great loss which they had sustained since the last Session, by the death of Mr. Rickman; and Lord John Russell thereupon gave notice, that upon the following evening he should move a resolution of the House to express their sense of the great services of the late Mr. Rickman; and accordingly, after several members of all parties had taken the opportunity of bearing high testimony to his merits, the House "Resolved, *nemine contradicente*, That this house entertains a just and high sense of the distinguished and exemplary manner in which John Rickman, esquire, late Clerk Assistant of this House, uniformly discharged the duties of his situation during his long attendance at the Table of this House."

SEPTEMBER.

9. At Bagnères de Bigorre, his chateau, near Paris, aged 72, Lieut.-Gen. Benjamin Gordon, of Balbithan, co. Aberdeen. He was the eldest son of William Forbes, esq., late of Skellater, co. Aberdeen, and assumed the name of Gordon, by royal licence, in Aug. 1836. He entered the army in 1779, and served in India from 1788 to 1811, with trifling intermission; and during that time was in most of the battles under Lord Cornwallis, Sir Robert Abercromby, Generals Stuart, Hartley and Harris. He commanded the grenadiers of the 75th at the storming of Seringapatam; was one of the prize agents there, and afterwards commanded the

provinces of Malabar and Canara. He commanded the light infantry of the 75th regiment at the capture of the French fortress of Mahé, on the Malabar coast, in 1793, and was appointed one of the prize agents for the capture. During a short leave to Europe, he was sent in command of a battalion of detachments belonging to India regiments, to the defence of Jersey, and after his final return from India he was for some time on the Irish staff. He was made major-general, 1813; and lieut.-general 1825. He was one of the twenty-one general officers receiving reward pensions for distinguished service.

11. At Yong-toe-Kiang, China, aged 28, Charles Eykyn Hodgkinson, Mate, R.N., late in command of her Majesty's schooner Young Hebe, at the taking of Chusan; eldest son of T. Hodgkinson, esq., of Wimpole-street, Cavendish-square.

14. At his residence at Ringwood, Hampshire, aged 94, Sampson Edwards, esq., Admiral of the Red. Capt. Edwards was in the *Atlantic* sloop of 14 guns, in company with the *Trepassey* of the same force, when they were attacked by an American frigate of 40 guns, and after a contest of three hours (in which Captain Smith of the *Trepassey* was killed) were compelled to surrender. Captain Edwards was promoted to post rank in October, 1782, and was present in the *Terpsichore*, 32, at the reduction of the West India Islands in 1793. He was promoted to be Rear-Admiral 1801, Vice-Admiral 1806, and full Admiral 1814.

17. At Poonah, in India, Miss Emma Roberts, a lady distinguished by her intelligent writings. Miss Roberts had previously accompanied her sister, Mrs. MacNaghten, to India, and resided in that country some time; but on her death returned to England, and employed her pen assiduously and advantageously in illustrating the condition of our Eastern dominions. Though considerably the elder, she was one of the early friends of the late Miss Landon (L. E. L.), and dwelt for several years with her in the same boarding-house. These were happy days, and little boded the premature and melancholy fate which awaited them in foreign climes. Miss Roberts was the author of;—Memoirs of the Rival Houses of York and Lancaster, historical and biographical, 1827, 2 vols. 8vo. Oriental Scenes, Sketches and Tales, 1832, 12mo.

29. At Kibworth, Leicestershire, aged 76, the Rev. James Beresford, M. A., Rector of that parish. This gentleman was born at Upham in Hampshire, on the 28th May, 1764, the second son of Richard Beresford, esq. He was educated at the Charter-house school, and afterwards became a Fellow of Merton College, Oxford, where he attained the degree of M. A., 1798. He acquired very considerable literary celebrity by his satirical work entitled "The Miseries of Human Life;" but it was one of a long series of literary productions, of which the chief were,—The Æneid of Virgil; translated into English blank verse, 1794, 4to. The Song of the Sun, imitated from the ancient Icelandic Collection called the Edda, 1805, 8vo. The Battle of Trafalgar, 1805, 4to. The Miseries of Human Life; or the Last Groans of Timothy Testy and Samuel Sensitive. Lond. 1806-7, 2 vols. 8vo. It had an extraordinary success, and found abundance of imitators.

OCTOBER.

11. At Chusan, Lieutenant John Willoughby Conway, of her Majesty's ship *Modeste*.

12. At Chusan, aged 21, Henry Felix Vavasour, Lieutenant 18th Royal Irish, eldest son of Lieut.-Colonel Vavasour, Royal Engineers.

21. After a protracted illness, the Right Rev. Nathaniel Alexander, D.D., Lord Bishop of Meath, and a Privy Councillor for Ireland, cousin to the Earl of Caledon. He was the eldest son of Robert Alexander, esq., elder brother to James, first Earl of Caledon. Was consecrated Bishop of Clonfert in 1801, and translated to Down and Connor in 1804, and to Meath in 1823.

22. At Brighton, aged 79, the Right Hon. William Wickham, D.C.L. This gentleman was the elder son of Henry Wickham, esq., of Cottingley, co. York. He was sent Envoy Extraordinary and Minister Plenipotentiary to the Swiss Cantons in 1794; was afterwards Under Secretary of State for the Home Department in 1798; Envoy Extraordinary and Minister Plenipotentiary to the united Austrian and Russian armies from 1799 to 1801; Secretary of State for Ireland from 1802 to 1804; sworn a Privy Councillor Jan. 13, 1802; and a

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Lord of the Treasury from Feb. 1806 to March 1807. At the general election of 1806 he was returned to Parliament for both the boroughs of Callington and Midhurst, but made his election for the former. After the breaking up of the Whig Administration in 1807 he retired from public life. He was presented to the honorary degree of D.C.L. at Oxford on the 3d of July, 1810. Mr. Wickham married Eleonora Magdalene, daughter of Mons. Louis Bertrand, Professor of Mathematics in the University of Geneva, and had issue an only child, Henry Louis Wickham, esq., a barrister-at-law.

23. In Park-street, Grosvenor-square Lieut.-General Sir Joseph Straton, C.B. K.C.H., Colonel of the 6th or Inniskillen Dragoons; F.R.S. Edinburgh. This officer was the son of Colonel Muter. He took the name of Straton on succeeding to the property of his aunt, Miss Straton, at Kirkside, near Montrose. He entered the service in Dec. 1794, in the 2nd dragoon guards. He came into the brevet as Lieut.-Colonel in Aug. 1808, and accompanied his regiment to the Peninsula in Feb. 1810, and was in all the different engagements and affairs in which it bore a part during three years. In June, 1813, the Commander-in-Chief was pleased to acknowledge his services by giving him, without purchase, the Lieut.-Colonelcy of the 6th dragoons. He came into the brevet as Colonel, the 4th of June, 1814. In April, he embarked with his regiment, and commanded it in the commencement of the battle of Waterloo, until by the fall of Major-General Sir William Ponsonby the command of the brigade, consisting of the 1st, 2nd, and 6th dragoons, devolved on him. Towards the close of the action Colonel Straton was wounded, and his horse wounded twice. He received for his services the order of St. Vlademir of the fourth class, from the Emperor of Russia, and was appointed a C.B. He has bequeathed the residue of his fortune amounting it is supposed to not less than 70,000*l.* to the University of Edinburgh.

24. At Castlecomer, county of Kilkenny, of typhus fever, the very Rev. Henry Richard Dawson, M.A. of Oxford, Dean of St. Patrick's cathedral, Dublin, Rector of Castlecomer, Registrar to the most illustrious order of St, Patrick, and M.R.I.A. of which learned body he was a Vice-President.

30. At Leamington, aged 66, the Hon. Charles Elphinstone Fleeming, of Cumbernauld and Biggar, Admiral of the Blue, and Governor of Greenwich Hospital. He was the second son of John, eleventh Lord Elphinstone, by Anne, eldest daughter of James third Lord Ruthven, and niece to John Earl of Bute. He was promoted to the rank of Commander in the Tisiphone sloop, 1794; and, on the 7th Oct. following, posted into the Tartar 28. The Tartar was wrecked at St. Domingo, in 1797, when engaged in cutting out some valuable merchantmen, from under a French battery. His next appointment was to the *Diomede* 50, in which ship he served on the East-India station during the remainder of the war. On the renewal of hostilities against France, in 1803, he obtained the command of the *Egyptienne*, a fine frigate, employed on the coast of France, where he captured several privateers, and was also with Sir Robert Calder's fleet in the action of July 22nd, 1805. Admiral Fleeming's subsequent appointments were to the *Revenge* 74, in 1806; *Bulwark* 74, in 1807, employed in the Mediterranean; *Standard* 64, in 1811; and to be a Colonel of Royal Marines Aug. 12, 1812. His promotion to the rank of Rear-Admiral took place Dec. 4, 1813; in 1814 he was appointed Commander-in-Chief at Gibraltar; he obtained the rank of Vice-Admiral, July 19, 1821; and that of full Admiral in 1837. The Admiral assumed the name of Fleeming in consequence of his succeeding in 1799, on the death of his grandmother, (the Lady Clementina Fleeming, only child of John sixth Earl of Wigtoun, by his second wife, Lady Mary Keith, eldest daughter of William ninth Earl Marischal), to the estates of the Wigtoun family at Cumbernauld and Biggar. He was elected to Parliament for the county of Stirling the 13th Jan. 1802, and again at the general election of the same year. He was re-chosen at the subsequent elections of 1806 and 1807. In Sept. 1839, he was appointed to succeed the late Sir Thomas Hardy as Governor of Greenwich Hospital. His body was interred on the 7th Nov. at Leamington parish church. Admiral Fleeming married in 1816 Cataline Paulina Alesandro, a Spanish lady, and had issue one son, John, born in 1819, and four daughters.

Lately. Killed in action in Upper

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Scinde, Captain C. B. Raitt, of Carphin.

NOVEMBER.

3. Aged 80, the Right Hon. Sir Samuel Shepherd. He was the son of a jeweller in London, and was called to the bar at the Inner Temple, Nov. 23, 1781. In 1814 he was appointed Solicitor General, and he received the honour of knighthood on the 11th of May. In 1817 he was promoted to the office of Attorney-General; and from June 1819 to Feb. 1830, he filled the bench of Lord Chief Baron of the court of Exchequer in Scotland. He was sworn a Privy Councillor July 23, 1819.

13. Lost in the *Fairy* 10, surveying vessel, in the North Sea, Commander William Hewett, R.N. He entered the service in 1805, passed his examination in June, 1812, and was promoted into the *Inconstant* frigate, Sept. 10, 1814; and to the rank of Commander, 8th Nov., 1826. During twenty years he commanded the *Protector* and *Fairy* surveying vessels, on the North Sea station. The *Fairy* left the port of Harwich on the 13th Nov., for the purpose of surveying some neighbouring sands, and was never again heard of. Captain Hewett was a most distinguished hydrographer, and a man of great general scientific acquirements. His eldest son, a midshipman, and his brother-in-law, the master of the vessel, perished by the same calamity. The Trinity House, evinced their sense of his services by presenting 200*l.* to his widow, upon whom, also, government have bestowed a pension from the civil list.

17. At his residence in the Close of the Cathedral, Lincoln, in his 72d year, John Gardiner, esq., one of her Majesty's deputy lieutenants for the county of Lincoln. Mr. Gardiner by his will made the following munificent bequests to charitable institutions. To the County Hospital at Lincoln, 200*l.* The Church Missionary Society, 100*l.* The Royal Humane Society, 100*l.* The British and Foreign Bible Society, 100*l.* The Lincolnshire Coast Shipwreck Association, 50*l.* The Lincoln Dispensary, 50*l.* The poor of St. Mary Magdalene, Lincoln, 10*l.* 10*s.*; and the poor of St. Peter's at Gowts in Lincoln, 10*l.* 10*s.*

20. At Blackwall, aged 60, Mr. Samuel Lovegrove. Mr. L. has contributed not a little to the *good living* of the worthy citizens of London. He first kept the Horn Tavern, in Doctors' Commons; afterwards the Crown and Sceptre, at Greenwich; then built two splendid taverns at Blackwall, both of which he occupied, and at the same time kept the well-known London Coffee-house, Ludgate-hill.

25. At St. Servan, in France, aged 82, John Inglett Fortescue, esq., justice of the peace for Devon., and late lieut.-colonel of the North Devon. Yeomanry Cavalry.

28. At Tewin Water, Hertfordshire, aged 82, Henry Cowper, esq., a bencher of the Middle Temple. He was the third son of Gen. Spencer Cowper, by Charlotte, daughter of John Baber, esq. He was cousin-german to the poet Cowper. Mr. Cowper was called to the bar by the Society of the Middle Temple on the 26th May, 1775, and was for many years Clerk-Assistant of the Parliament, and Clerk to the House of Peers.

29. At his seat, Orleton Hall, Salop, aged 57, Edward Cludde, esq. He was the representative of the Saxon family of Cludde, or Cluydde, which, it is believed, had continued in the uninterrupted possession of Cluddley, near the Wrekin, from a period long anterior to the Norman conquest. In 1828, Mr. Cludde married Catherine Harriet, only daughter of Lieut.-General Sir William Cockburn, Bart., N. S., by whom he has left a daughter, his heiress.

29. At Boddington Manor-house, aged 82, John, eldest son of the late J. Blagdon, esq., of Northcote Manor-house, Devon.

DECEMBER.

3. At Coughton-court, Warwickshire, in his 84th year, Sir Charles Throckmorton, the seventh Bart., of Coughton, county of Warwick, (1642). He was born on the 2d Nov. 1755, the third son of George Throckmorton, esq., (who died in the lifetime of his father the fourth Baronet,) by Anna Maria, only daughter of William P. Aston, esq., of Horton, county of Gloucester. He succeeded to the baronetcy on the death of his brother Sir Charles, July 27, 1826, being the third brother who had in turn

inherited the dignity. He married Mary, the youngest daughter of Edmund Plowden, esq., of Plowden Hall, in the county of Salop, by whom he had no issue.

— At his house in Portman-square, after a protracted illness, Robt. Ferguson, esq., of Raith, M.P., for the Kirkaldy district of Burghs, and Lord Lieutenant of the county of Fife. He was the representative of an ancient family, and the eldest son of William Ferguson, esq., by Jane, daughter of Ronald Crauford, of Restalrig, and sister to Margaret, Countess of Dumfries. Mr. Ferguson was elected in 1806 for Fifeshire, and in 1831 represented the Kirkaldy district of burghs, and in 1835 was returned for Haddingtonshire; but at the general election of 1837 he was defeated by Lord Ramsay, and returned to the representation of the Kirkaldy division of Burghs. He was a cordial supporter of the measures of the Whig government.

— At Vienna, the celebrated astronomer, Von Littrow, Director of the Observatory, and Professor of Astronomy in the University.

9. At Acre, from the fever of the country, Lieut.-Colonel Walker, C.B. commanding the Royal Marine forces. He entered the marine corps on the 2d Sept. 1797. From 1802 to 1805 he was at the taking of the islands of St. Lucien, Tobago, Demerara, and Berbice, in the West Indies, and performed the duties of adjutant to the Royal Marine Battalion, and was at the storming of the battery called Petit Ance d'Albett, where he was wounded, and was presented with a sword and 100*l.* by the Patriotic Fund at Lloyd's. He was also employed in various attacks on the enemy's vessels and batteries, and on a frigate and brig under Fort Edward, Martinique. Whilst in the *Spartan* he was actively engaged in cutting out vessels and destroying the batteries of the enemy in the Mediterranean. In 1828, 1829, and 1830, when senior officer in the Mediterranean, he received the public thanks of the Board of Admiralty, through the Commandant of Royal Marines in London; and also of the Hon. Sir F. Ponsonby, Commander of the forces on that station, at the inspection of the marine battalion at Malta, which was reported to the Board of Admiralty and to the Admiral Sir P. Malcolm, who issued a public order of thanks and congratulation on the occasion. Lieut-Colonel Walker was especially selected by the Admiralty in July last for the command of the Royal Marines in Syria, and landed at d'Jouni with 1500 marines, 200 Austrians, and 500 Turks, under his command, and so ably fulfilled the trust committed to him, as to merit the particular notice of Brigadier-General Sir C. Smith, who appointed him to the command of the British troops at Acre, where he unfortunately met with an untimely death.

11. At Kew Green, in his eighty-third year, Francis Bauer, esq., F.R. and L.S.S. He was born at Feldsberg, in Austria, in 1758.

14. In Hoxton-square, aged 85, the Rev. Watts Wilkinson, B.A., for sixty-one years afternoon lecturer of St. Mary Aldermary, and for thirty-seven years Tuesday-morning lecturer of St. Bartholomew Exchange. He was born of a family of Dissenters and received his baptismal name from the celebrated Doctor Isaac Watts. He was ordained in 1779, and preached his first sermon at St. Ann's, Blackfriars.

15. At Nairn, aged 75, Commander James Rose, K.S. He obtained the rank of Lieutenant 1796, and was wounded on board the *Ardent* at the battle of Camperdown in 1797. In February 1805, when commanding the *Growler* gun-brig, he captured a French national brig of 7 guns and fifty men, and in the following month two gun-boats from a division of flotilla.

— At Wargrave, aged 55, Francis Bramah, esq., second son of the late Joseph Bramah, esq., engineer.

17. In Portland-place, aged 76, George Hay Dawkins Pennant, esq. of Penrhyn Castle, near Bangor, in Carnarvonshire. Mr. Pennant was the third son of Henry Dawkins, esq., of Standlinch, co. Wilts.; grandson of Elizabeth Pennant, wife of Henry Dawkins, esq., of Jamaica, aunt to the late Lord Penrhyn. On Lord Penrhyn's death in 1808, he was left heir to his fine property, and in consequence took the surname of Pennant. Mr. Pennant was the possessor of the celebrated slate quarries near Bangor, which produced him an enormous revenue. Mr. Pennant married, first, June 25, 1807, the Hon. Sophia Mary Maude, daughter of Cornwallis, first Viscount Hawarden. This lady died Jan. 23, 1812. Mr. Pennant married secondly, May 4, 1814,

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Elizabeth, elder daughter of the Hon. William Henry Bouverie, uncle to the Earl of Radnor, and sister to Lady Heytesbury; who survives. The deceased's personal property is sworn under 600,000*l.*, and a stamp duty of 11,500*l.* was paid on the probate alone. The real property is nearly 80,000*l.* a-year. The bulk of the property is given among his children and grandchildren.

17. At Bath, in his 75th year, Sir Henry William Bayntun, G.C.B., Admiral of the Blue. This officer was a son of a gentleman who formerly held the office of British Consul-General, at Algiers. He served as a lieutenant at the reduction of Martinique, in 1794, and was promoted to the *Avenger* sloop, from which he removed into the *Nautilus*, a vessel of the same class; and obtained post rank in the *Undaunted* of 32 guns, by commission bearing date May 4, 1794. In 1796 Captain Bayntun, commanded the *Reunion* 36, which was lost in the Swin, on the 7th Dec. On the renewal of the war, in 1803, he was entrusted with the command of a squadron stationed off St. Domingo, where he cruized with great activity, and captured several armed vessels, among which was the *Creole*, French frigate of 44 guns, having General Morgan and staff, with 530 troops, on board. On returning from the Jamaica station, Sir Henry was appointed to the *Leviathan* 74, and ordered to the Mediterranean, where he joined the fleet under Lord Nelson, with whom he went in pursuit of the combined squadrons of France and Spain. On the glorious 21st of Oct. 1805, the *Leviathan* passed through the enemy's line, and had assisted in disabling and silencing the French admiral's ship, as also the huge *Santissima Trinidada*, when Sir Henry found himself much galled by a distant cannonade from several others of the enemy's ships; at length, the *St. Augustin* of 74 guns, bearing the broad pendant of Commodore Cazigal, gave him an opportunity of closing with her, which was immediately embraced, and she was soon compelled to surrender. Towards the latter end of the same year, Sir Henry accompanied the expedition sent for the reduction of Chili; and subsequently, commanded the flotilla sent up the North river to Colonia. His promotion to the rank of Vice-Admiral took place in 1812, to Rear-Admiral in 1821, and full Admiral in 1837. On the enlargement of the order of the Bath, the 2nd Jan. 1815, he was nominated a K.C.B.; and in October, 1839, was promoted to the grade of Grand Cross, in addition to which he had received a medal, and a pension of 300*l.* per annum, for good service, as also an honorary reward from the Patriotic Fund. Sir Henry married Miss Mayhew, Aug. 23, 1809, and was left a widower, Sept. 16, 1830.

20. At his chambers, James-street, Adelphi, Thomas Hill, esq., a gentleman much respected for his kind-hearted attentions to authors, artists, and men of taste in general. Mr. Hill was born in the North of England; and, whilst carrying on an extensive business as a drysalter in Queenhithe, became at the west end of the town a great book collector, a patron of rising merit, a lover and encourager of art, and one of the leading critics and supporters of the drama. Having met with some severe losses in business, he abandoned altogether his mercantile pursuits, falling back upon some property which he possessed in the North, and enjoying society at his ease. It was chiefly through his influence that the patronage of Southey and Capel Lofft was extended towards Henry Kirke White, and the poet Bloomfield, author of the "Farmer's Boy." He was for many years the joint proprietor, with Mr. Lichfield, of the magazine called the *Monthly Mirror*, and, at various times, held other literary and newspaper property. For a long period he favoured the *Morning Chronicle*, and since the *Herald*, with short, well-condensed, and neatly worded paragraphs and criticisms on remarkable new works, accounts of eminent book and other auctions, literary negociations between celebrated authors and publishers, &c. But the principal feature of Mr. Hill's literary character rests upon his great zeal as a liberal collector of old English poetry, few persons having exceeded him in that pursuit, either as regarded industry or expenditure. The gems of his collection were purchased by Messrs. Longman and Co., and they formed the chief bulk of their celebrated catalogue of old English lore, entitled, "Bibliotheca Anglo-Poetica," (issued in 1815,) which will always rank as one of the most valuable catalogues of books ever published. In politics he was ever mode-

rate and liberal; in letters ever warm and encouraging. Full of anecdote, he was a welcome guest in every quarter, and few men were ever more sought and invited to the genial board. His own little foible of curiosity, which, betrayed him to be the amiable original of Poole's Paul Pry, often amused his laughing friends at his expense, and never injured a human being. He '*happened to know*' so many people, and so many things, that listeners were often jocular, if not sceptical, upon his statements: but the real truth was, that he had been so widely and so confidentially trusted, that his information was almost incredible. Mr. Hill is supposed to have completed his eightieth year. His precise age must, however, remain in that uncertainty in which he ever delighted to involve it, saying, facetiously, that the register of his birth was destroyed in the fire of London! He died remarkably easy, and his old, faithful, and inseparable friend, Edward Dubois, esq., the barrister, was with him at the time of his decease.

21. In Chester-terrace, Regent's Park, aged 32, James Abernethy, esq., only son of the late John Abernethy, esq., the celebrated surgeon.

— At Bath, Lady Smyth, widow of Sir Hugh Smyth, Bart., of Ashton-ct., Somerset, and of Rockley House, Wilts, who died without issue in 1824.

— At Hardingstone, aged 85, Robert Breton, esq., the last male descendant of that family located at Teeton.

— At Cadiz, in his 42nd year, Frank Hall Standish, esq., of Duxbury Hall, in the parish of Chorley, county of Lancaster. This gentleman, who was well known by his life of Voltaire, and his elegant taste for the arts, was the only child of Anthony Hall of Flass, in the county of Durham, esq., and grandson of Anthony Hall, by Margaret, sister of Sir Thomas Standish of Duxbury, Bart. who died in 1756, upon succeeding to whose estates he assumed the name and arms of Standish in addition to Hall. Mr. Hall Standish, who died unmarried, by his will bequeathed to his Majesty the King of the French all his books, manuscripts, prints, pictures, and drawings, containing several paintings of high price. Among them, besides the fine Murillos, are some by Zurbaran and other masters of the Spanish school, and a great many of the Italian, Flemish, and French schools. Most of the books are valuable, and are upwards of 4,000 in number. Louis Philippe accepted the legacy, but signified his intention to replace all the principal pictures with others of equal value.

23. Suddenly, in Stratford-place, Marylebone, aged 68, Lieut.-Gen. Sir William Henry Pringle, G.C.B., Colonel of the 45th foot, and a member of the Consolidated Board of General Officers. He entered the army as Cornet, July 6, 1792; was made Lieutenant, Feb. 1803; Captain, October 1794; Major in the 111th foot, Sept. 1794; Lieut.-Col. 1799; Capt. and Lieut.-Col. in the 2nd foot guards, 1802; Colonel in the army, 1809; and Major-Gen., Jan. 1, 1812. In the last-named year he was appointed on the staff of the Peninsular army; and he commanded a brigade at the battles of Salamanca, the Pyrenees, and Nivelle. He received the thanks of the House of Commons in person, after the battle of Salamanca, on the 10th Feb., 1813; and two votes of thanks on the 24th of June, 1814, for the battles of the Pyrenees and Orthes and Nivelle. In Feb. 1814, he was severely wounded in France. On the 12th May following, he was appointed Colonel of the royal Newfoundland Fencibles; on the 1st of April, 1816, he was promoted to the 64th foot; and in 1838 to the 45th, having attained the rank of Lieut.-Gen. in 1825. He was appointed a Knight Commander of the Bath on the enlargement of the Order in January, 1815, and was subsequently advanced to be Grand Cross. Sir W. H. Pringle sat in the Parliaments of 1820 and 1825, for the borough of Liskeard, which was in the patronage of his wife's family. He married in 1806, Hester Harriet Pitt, only child of the Hon. Edward James Eliot, eldest son of Edward Craggs, Lord Eliot, by Lady Harriet Pitt, second daughter of William first Earl of Chatham.

24. At Liverpool, in Australia, Mr. Moore, who has bequeathed a very large fortune for establishing a college in Australia, and for other charitable purposes.

30. At Leamington, Samuel George Pechell, esq., Post Captain, R. N., of Bereley, Hants. He was the second son of the late Augustus Pechell, esq., Receiver-general of Customs, by Sarah, third daughter and co-heiress of Thomas Drake, D. D., Rector of Amersham. He was made Lieut. 1801, Commander 1809, and Post Captain 1810.

DEATHS.—Dec. 1840.

Lately. At Cheltenham, at an advanced age, Maria Eliza, widow of Sir Nigel Bowyer Griesley, bart., daughter and heiress of Caleb Garway, esq., of Worcester.

— In Dublin, aged 85, Major Henry Charles Sirr, a magistrate of the Head Police Office.

— Killed at the bombardment of St. Jean d' Acre, Lieutenant Le Mesurier, of her Majesty's ship Talbot, son of the late Rev. Mr. Le Mesurier, rector of Horton near Darlington.

— Aged 81, her serene highness the Dowager Princess of Reuss Kœstritz, daughter of Prince Henry Reuss d'Ebersdorf, widow of Prince Henry of Reuss-Schleiz-Kœstritz who died the 22nd Sept., 1814, mother of the present prince, and great-aunt to her Majesty.

— At Toronto, Capt. F. Halkett, of the Coldstream Guards, military secretary to Sir G. Arthur, and eldest son of Gen. Sir Hugh Halkett.

— At Brighton, aged 80, the Right Hon. John Somers Cocks, Earl Somers, Lord Lieutenant and Custos Rotulorum of Herefordshire, and Chief Steward of Hereford. His lordship was born on the 6th of May, 1760, the eldest and only son by the first marriage of Charles first Lord Somers, by Elizabeth, sixth daughter of Richard Eliot, esq., sister to the first Lord Eliot, and aunt to the present Earl of St. German's. At the general election of 1790, he came into Parliament for the borough of Reigate, and he was re-chosen in 1796 and 1802. He voted at first with Mr. Pitt; but in March, 1791, on occasion of the dispute with the Empress Catherine, he declared that minister had entirely lost his confidence, and ever after supported Whig measures. Lord Somers was twice married. His first wife, to whom he was united on the 19th March, 1785, was Margaret, only daughter of the Rev. Treadway Russell Nash, D.D., the historian, of Worcestershire, and editor of Hudibras; who died Feb. 9, 1831, and his lordship married secondly, June 3, 1834, Jane, fourth daughter of his uncle, James Cocks, esq., and widow of the Rev. George Waddington. By his first marriage he had issue three sons and one daughter.

— In India, in the battle near Bamian, Percival B. Lord, M.B. Dr. Lord was the son of the Rev. John Lord, of Mitchelstown, in the county of Cork, and was educated at the Dublin University, where he obtained several honours. He devoted himself to the medical profession, and became a contributor of many valuable essays to the medical journals, and also published several works, of which his "Outlines of popular Physiology" is deservedly esteemed. Having received a medical appointment in the East India Company's service, he devoted himself to the study of Persian with such success that he was attached to Sir Alexander Burnes' mission to Caubul: while with this mission he had an opportunity of visiting Tartary, and the information he transmitted to the Indian Government showed so much knowledge of the customs and policy of the Asiatics, that he was removed from the medical to the diplomatic department; and had a very distinguished share in the political events leading to the invasion of Affghanistan. At the battle of Bamian, being in advance with a regiment of native cavalry, the men from cowardice or treachery deserted their officers, who nobly stood their ground against the enemy's charge; many fell, and Lord, who had fought among the foremost, was cut down, at the moment when by the defeat and surrender of Dost Mahomed, the success of his policy seemed on the point of triumph.

Lately. At Rome, at the age of 81, the Abbe Feliciano Scarpellini, a celebrated astronomer, Director of the Pontifical Observatory, Professor of Astronomy in the University, author of many works on astronomy, mathematics, and natural philosophy. His astronomical instruments and his collection of specimens of natural history, have been purchased by the papal government, and presented to the University at Rome.

— At Paris, Count Miot de Meliti, Member of the Academy of Inscriptions and Belles Lettres, and translator of Herodotus and Diodorus Siculus.

— At Tarbes, aged 85, Bertrand Barrère, one of the most conspicuous actors in the first French revolution. Barrère was a member of the States General and of the National Convention, and presided over the latter assembly on the trial of Louis XVI; he belonged to the party of Girondins. During the progress of the revolution, Barrère distinguished himself as an author and journalist, and in the latter capacity edited the earliest organ of his party, *Le Point du Jour.* At the request of

Napoleon he translated the Poems of Ossian into French, and was the author of several works of revolutionary principles. He was exiled by the Bourbons at the Restoration as a regicide.

1841.

JANUARY.

1. At his house in St. Giles's, Oxford, in his 79th year, Samuel Collingwood, esq., for many years superintendant of the University press. Mr. Collingwood possessed a great fund of information, obtained from extensive reading, on most subjects, and to this was added a perfect knowledge of his business.

2. At Broke Hall, Suffolk, aged 64, Sir Philip Bowes Vere Broke, bart., K.C.B., Rear-Admiral of the Red. Sir Philip Bowes Vere Broke, bart., was the eldest son of Philip Bowes Broke, of Nacton, co. Suffolk, esq., by Elizabeth, daughter of the Rev. Charles Beaumont, M.A., of Witnesham, in the same county. He was born Sept. 9, 1776; completed his education at the Royal Academy, Portsmouth; and commenced his naval career as a midshipman on board the *Bull Dog*, sloop of war, June 25, 1792. From her he removed with Capt. George Hope, into *l'Eclair*, a French prize corvette on the Mediterranean station, where he was employed in much active service, particularly at the siege of Bastia. May 25, 1794, he joined his former captain in the *Romulus*, of 36 guns, which ship was attached to the fleet under Vice-Adm. Hotham, in the action off Genoa, Mar. 14, 1795; and, on the 8th June following, he was removed into the *Britannia*, a first-rate, bearing the flag of that officer, by whom he was appointed third Lieutenant of the *Southampton* frigate, in which he was present in an action with *La Vestale* French frigate, and the capture of *l'Utile* corvette, and returned to England, after witnessing the defeat of the Spanish fleet by Sir John Jervis, Feb. 14, 1797. He afterwards served under the Hon. Captain Charles Herbert, in the *Amelia* frigate, and bore a part in the battle between Sir J. B. Warren and M. Bompart, off the coast of Ireland, Oct. 12, 1798. Lieutenant Broke was appointed Commander in Jan. 1799, and Post Captain Feb. 14, 1801. Previously to his latter promotion he commanded the *Shark* sloop of war, employed in protecting the trade off the coast of Holland. In April 1805 he was appointed to the *Druid* frigate, in which he captured the privateer French ship, *Prince Murat*, of 18 six-pounders and 127 men. On the 1st May, 1806, Captain Broke fell in with *le Pandour*, a national brig of 18 guns and 114 men, which, after a pursuit of 160 miles, was taken by the squadron under Rear-Admiral Stirling, and conducted to Plymouth by the *Druid*. His next appointment was, in June 1806, to the *Shannon*, rated at 38 guns, in which ship he established his fame as a British naval commander. In April 1807, Captain Broke was sent with the *Meleager* of 32 guns, under his orders, to protect the whale fishery in the Greenland seas, in doing which he approached nearer to the pole than any other ship of war had ever done, excepting those under Lord Mulgrave. Towards the close of the same year he accompanied the expedition sent against Madeira. In Nov. following he joined company with Captain Seymour of the *Amethyst*, about an hour after that officer had captured the *Thetis*, French frigate. On the 27th Jan. 1809, he took, after a long chase, *le Pommereuil* cutter privateer of 14 guns and 60 men, and remained attached to the Channel fleet until Sept. 1811, when he proceeded to the Halifax station. On the 18th June, 1812, a formal declaration of war against Great Britain was made by the United States; and on the 5th of the ensuing month, Captain Broke was despatched with a squadron to blockade the enemy's ports; and he was actively employed during the remainder of the year. In 1813 he sailed to reconnoitre the port of Boston, and when he had remained there more than two months, he attained the object of his wishes, a fair encounter with the American flag. This was the memorable battle of the *Shannon* and *Chesapeake*, fought on the 1st of June, 1813. It commenced at five P.M., both ships steering full under their topsails; "after exchanging between two and three broadsides, the enemy's ship (says Capt. Broke in his despatch) fell on board of us, her mizen-channels locking in with our fore-rigging. I went forward to ascertain her position;

and, observing that the enemy were flinching from their guns, I gave orders to prepare for boarding. Our gallant bands appointed to that service immediately rushed in, under their respective officers, upon the enemy's decks, driving every thing before them with irresistible fury. The enemy made a desperate but disorderly resistance. The firing continued at all the gangways, and between the tops, but in two minutes' time the enemy were driven sword in hand from every port. The American flag was hauled down, and the proud old British Union floated triumphant over it. In another minute they ceased firing from below, and called for quarter. The whole of this service was achieved in fifteen minutes from the commencement of the action." The loss of the enemy was about seventy killed, and one hundred wounded. Of the *Shannon* twenty-three slain, and fifty-six wounded. The *Chesapeake*, a fine frigate, mounting 49 guns, went into action with 440 men; and the *Shannon*, having picked up some recaptured seamen, had 330. "After the enemy upon the forecastle had submitted, Capt. Broke ordered one of his men to stand sentry over them, and sent most of the others aft, where the conflict was still going on. He was in the act of giving them orders to answer the fire from the *Chesapeake's* main-top, when the sentry called lustily out to him. On turning round, the captain found himself opposed by three of the Americans; who, seeing they were superior to the British then near them, had armed themselves afresh. Capt. Broke parried the middle fellow's pike, and wounded him in the face; but instantly received from the man on the pikeman's right a blow with the butt-end of a musket, which bared his skull, and nearly stunned him. Determined to finish the British commander, the third man cut him down with his broad-sword, and at that very instant, was himself cut down by one of the *Shannon's* seamen. Capt. Broke and his treacherous foe now lay side by side; each, although nearly powerless, struggling to regain his sword, when a marine despatched the American with his bayonet." On the 2nd Nov. following Captain Broke was raised to the dignity of a baronet of Great Britain, "in consideration of the distinguished zeal, courage, and intrepidity displayed by him in his brilliant action with the *Chesapeake*;" and in Feb. 1814, he received the royal permission to bear a crest of honourable augmentation to his family arms, together with the motto, "*Sævumque tridentem servamus.*" It would be endless to detail the various instances of compliment and congratulation paid to Capt. Broke, on account of this glorious achievement. The underwriters of Halifax, in Nova Scotia, presented him with an address of acknowledgment for recapturing and preserving some of their most valuable vessels, accompanied by a piece of plate, value 100 guineas. The Court of Common Council of London voted him their thanks, with the freedom of the city, and a sword of 100 guineas value. The thanks of the corporation of Ipswich (the freedom of which he was by birth entitled to), were also presented to him, and a subscription opened by the gentry and other inhabitants of the county of Suffolk, for the purpose of purchasing him a piece of plate, which closed at an amount of about 730*l*. A convivial society at Ipswich, called "The Free and Easy Club," likewise subscribed 100 guineas for the purchase of a silver cup. On Sir Philip Broke's return to England, the *Shannon* being found unfit for further service, he was offered the command of one of the new ships built to match the large American vessels, misnamed frigates; but his wound was not then sufficiently healed to allow of his immediately serving again. He was nominated a K.C.B. Jan. 7, 1815. Sir Philip married, Nov. 25, 1802, Sarah Louisa, daughter of Sir William Middleton, bart., by whom he had a numerous family, of whom only two sons and one daughter survive.

3. In Hanover-square, the Duchess of Cannizzaro. She was daughter of Governor Johnstone, younger brother of Sir W. Johnstone Poulteney, bart. She succeeded to her immense fortune in consequence of the will of one of her brothers, who had acquired it; and her husband succeeded to the title of Duke of Cannizzaro on the death of his father by a family compact, with the consent of his eldest brother, the Prince Larderia.

5. At his residence, Hurley, near Maidenhead, aged 58, the Rev. Robert Mason, D.D., of Queen's college, Oxford. He graduated M.A. 1813, B.D. 1820, and D.D. 1823. Dr. Mason has bequeathed to the University of Oxford

a very curious painting of the Zodiac of Tentyra, in Egypt, together with a description of the same; as well as all his Egyptian papyri, and a model of the Church of the Holy Sepulchre at Jerusalem; the former to be placed in the Picture Gallery, the latter in the Bodleian Library; to which library he also bequeaths the sum of 40,000*l.* (stock), to be expended for the benefit of the said library, at the uncontrolled discretion of the trustees. To Queen's College he has left all his Egyptian, Grecian, Roman, and other relics of antiquity, (excepting as before bequeathed to the University and the Bodleian,) together with a picture of the late Mr. Belzoni, and his shells; and, in addition 30,000*l.* (stock), to be expended in books for the use of the society.

9. At Paris, aged 82, Dr. Gilchrist, the distinguished Orientalist. Dr. Gilchrist was a native of Edinburgh, and was educated for the medical profession, and went to Calcutta with an appointment in the medical service of the East India Company. At this time the Company were satisfied if their servants had a competent knowledge of Persian, in which language the acts of the government, and the proceedings of the legal tribunals were registered; but Dr. Gilchrist immediately perceived the importance of the Hindostanee language in transactions with the natives, and applied himself diligently to acquire it. Having become master of the language in those provinces in which it was supposed to be spoken with the greatest purity, he published in 1786 and 1790, his "Anglo-Hindostanee Dictionary;" and in 1796, his "Hindostanee Grammar." The Governor-General, the Marquess Wellesley, munificently aided his exertions, and upon the foundation of the College of Calcutta, appointed him Professor of Hindostanee and Persian. In 1804, Dr. Gilchrist was compelled by the state of his health to return to Europe, but he devoted himself for years to a series of gratuitous lectures on the Hindostanee language, to editing new works and revising his old ones; until at length age and infirmities put a close to his useful labours.

11. At Hickleton, near Doncaster, Anne, wife of Sir Francis Lindley Wood, bart. She was the eldest daughter and co-heiress of Samuel Buck, esq., Recorder of Leeds.

12. At Chelsea, in his 69th year, Alexander Day, esq. To the rising school of art the name of this gentleman is but little known, although associated with the history of some of the most valuable works of the National Gallery. During the early part of his life he resided in Italy, whither he had repaired to indulge and cultivate a strong predilection for art, which led him to pursue it in both forms—painting and sculpture—so diligently that in the former he at length excelled. He was for some years a prisoner in the hands of the French, during their war with the Neapolitans. On his return to England he stamped his reputation as a connoisseur, by bringing with him some of the finest pictures in the National Gallery, viz:—"The Descent of Bacchus," by Titian; "Ganymede," and "Venus and Adonis," by the same; "Portrait of Pope Pius," and "Portrait of St. Catherine," by Raffaelle; "Ecce Homo," Correggio; "The Flight of St. Peter." Carracci; "Land Storm," Salvator Rosa; "Abraham and Isaac," Gaspar Poussin; "St. Ambrose and the Emperor Theodosius," Vandyck. On the occasion of the purchase of the Elgin Marbles, Mr. Day was, with some others of well-known reputation, summoned to give evidence before a committee of the House of Commons, which had been appointed to examine into the merits of these works; and this is the only instance in which his name was ever brought prominently before the public.

15. At Clapham, aged 69, Thomas Crafer, esq., Principal Clerk Assistant to the Secretaries of the Treasury, and for nearly fifty years an officer of that establishment.

17. At his residence, at Upper Tooting, in his 60th year, Richard Alsager, esq., M.P., for the Eastern Division of the county of Surrey. Mr. Alsager was formerly a commander in the maritime service of the Hon. East India Company, in which he realised an independent fortune. At the general election of 1835 he offered himself as a candidate for East Surrey, in opposition to the former members, Mr. Beauclerk and Mr. Briscoe, declaring himself the warm friend of the agricultural interest, and of the Established Church, and was returned by the Conservative electors at the head of the poll. At the last election he was again returned at the head of the poll.

18. At Leeds, Miss Ann Carr, well

known as the founder of the Society of Female Revivalists. She had been a preacher 34 years: and, in 1822, she originated the above-named society. She was possessed of an estate worth 800*l.* per ann., which she devoted to the furtherance of that object.

19. At Madras, Lieut-Gen. Sir S. Ford Whittingham, K.C.B., K.C.H., K.S.F., Commander-in-Chief at that Presidency, and Colonel of the 71st foot. The services of Sir S. Whittingham were long and uniformly active and successful. He was appointed Lieut. 25th Feb. 1803; Lieut. 1st Life Guards, 10th March following; Captain, 14th Feb. 1805; Captain, 13th light dragoons, 13th June 1805. In 1809 he was appointed Deputy Assistant Quartermaster-General in the army under the Duke of Wellington; and in March 1810, Major, serving with the Portuguese army. He was subsequently employed in America; but the chief scene of his services was with the army in Spain, for which he was peculiarly qualified by his perfect knowledge of the Spanish language. He was first permitted to join that service as aide-de-camp to General Castanos, and in that capacity shared in the memorable battle and victory of Baylen. He afterwards served under the Duke of Albuquerque, and was severely wounded at Talavera. Soon after, he obtained the command of the Spanish cavalry, and was present at the battle of Barossa, in 1811; after which he was intrusted to raise and command a large corps of Spanish troops, clothed and paid by the British Government. In 1812, as Major-General in command of this well-disciplined corps, he was, in junction with the British army at Alicant, successfully opposed to Marshal Suchet's army, and was again wounded at the battle of Castalla; after which he served with distinction in command of a division of infantry, under Sir John Murray, and subsequently under Lord W. Bentinck, on the eastern coast. At the restoration of peace, in 1814, General Whittingham returned to England, his conduct in Spain being reported in very flattering terms by the British Ambassador in Spain, Sir H. Wellesley, and by the Duke of Wellington. He was then appointed aide-de-camp to his Royal Highness the Prince Regent, and received the order of C.B., with the honour of knighthood, May 3, 1815. On the return of Napoleon from Elba, in 1815, Sir S. Whittingham returned to Spain, at the particular request of the King of Spain; and, on his arrival at Madrid, was invested with the Grand Cross of the Order of San Fernando. In the year 1819 Sir S. Whittingham was appointed Governor of Dominica, and in 1822 his services were transferred to India, as Quartermaster-Gen. of the King's troops; and, subsequently, he held the command as Major-General successively in the Cawnpoor and Meerut divisions. He also served at the siege of Bhurtpoor, and received the thanks of Parliament for his conduct on that occasion. He also received the insignia of a K.C.B., Dec. 26, 1826. Having returned from India in 1835, Sir S. Whittingham was appointed to the command of the forces in the Windward and Leeward Islands in 1836, which command he was permitted to resign in 1839, in order to undertake the command in chief at Madras, receiving at the same time, from Lord Hill, a flattering testimonial of the value of his services in the Windward and Leeward Islands command. The Commander-in-Chief reached Madras on the 1st. of August, 1840. He attained the rank of Lieut.-General in 1838, in which year also the Colonelcy of the 71st regiment was conferred upon him. As a military man, Sir S. Whittingham's character stood very high.

20. At the Grove, near Durham, aged 78, Elizabeth, relict of Stephen George Kemble, esq. In early life, when Miss Satchell, she was one of the first actresses of her day, and was decidedly the greatest favourite ever attached to the Newcastle stage. Her remains were interred by the side of her late husband in the Nine Altars of the Durham Cathedral.

— At Bletchingdon Park, Oxfordshire, aged 80, Arthur Annesley, esq., formerly M.P., for Oxford. He was the only son and heir of Arthur Annesley, esq., of the same place, (cousin-german to Francis-Charles 1st Earl of Annesley) who died in 1773, by Elizabeth daughter of William Baldwin, of Arguileth, Salop. He married in 1785, Catharine, daughter of Adm. Sir Chas. Hardy, knt., and had issue two sons and four daughters.

23. Aged 73, Eleanor, second wife and relict of the late Sir Robert Wigram, bart., of Walthamstow House.

— In Bethlem Hospital, aged 68,

James Hatfield. He was tried at the Old Bailey, in the month of September, 1802, for firing a pistol, in Drury Lane Theatre, at King George 3rd, and acquitted on the ground of insanity.

— In Chester-square, in her 50th year, the Hon. Gertrude Frances, widow of the Hon. Henry Grey Bennet, brother to the Earl of Tankerville. She was the eldest daughter of the late Lord William Russell, by Lady Charlotte Anne Villiers, eldest daughter of George Bussey fourth Earl of Jersey.

25. At Damascus, of fever, Brigadier-General Edward Thomas Michell, of the Royal Artillery. This gallant officer entered the service as Second Lieutenant, Sept. 8, 1803, and was promoted to be First Lieutenant on the 13th of the same month. He was appointed Captain, Sept. 5, 1811; Brevet-Major, March 17, 1814; Brevet-Lieutenant-Colonel, July 22, 1830; Regimental-Colonel, June 11, 1838; and Brigadier-General, on a particular service, October 30, 1840. In 1810 he was detached from Gibraltar, and commanded a guerilla division in the Sierra de Ronda, and was present at the capture of Ronda, and the combats of El Brosque and of Bornos, and the night attack and capture of Arcos. He commanded the artillery, with the force occupying Tarifa, in 1810, 1811, and 1812, and was engaged in all the affairs and operations at Tarifa, Vajer, Casas Viejas, Alcala, and Medina Sidonia; at the battle of Barossa he was shot through the shoulder, and, notwithstanding the severity of the wound, he was present at the final defence of Tarifa against Marshal Victor. In 1812 he was present at the assault and capture of the forts, and at the battle of Salamanca, the combat of Castrejon, and many affairs of the outposts. He served in the Netherlands from Dec. 1813 to May, 1814, and was present at the capture of Merxem, the investment and bombardment of Antwerp, and in the night attack on Bergen-op-Zoom he conducted one of the columns, and was severely wounded on this occasion in several places. In 1838 he went to Spain, and was appointed commander of the royal artillery serving there until the end of 1840, when he proceeded to Syria on particular service with the rank of Brigadier-General, and commander of the royal artillery engaged in the successful contests in that quarter.

28. In Jersey, aged 22, Maximilian Arthur Nethercote, esq., late of the 53rd regt. and of Moulton Grange, Northamptonshire; and *April* 4, Charlotte, wife of John Nethercote, esq., of Moulton Grange.

29. At Rome, John Ingram, esq., late of Staindrop Hall, Durham.

Lately. In London, the Baronne de Feuchéres.—Madame de Feuchéres was an Englishwoman of the name of Daws, who was married in this country to a French gentleman, now a general officer in the service of France. On his separation from her she obtained great influence over the late Duc de Bourbon (the father of the unfortunate Duc d'Enghien), whose corpse was one morning found hanging to the window of his bedroom, in 1830, and whose demise put an end to the illustrious house of Bourbon-Condé. Through her extraordinary ascendancy over that aged prince, the immense property of the house of Condé was divided by his will between her and Louis-Philippe's fourth son, the Duke d'Aumale, the latter having by far the larger portion. The will was disputed by the Princes of Rohan, the Duc de Bourbon's kinsmen, but its validity was maintained by the French courts.

— At Sandy-place, Frances, relict of the Hon. Samuel Henley Ongley, uncle to Lord Ongley, of Old Warden. She was a daughter and coheiress of Sir Philip Monoux, bart., who died in 1822, without issue.

— At Windsor Castle, aged 70, Capt. Holmes, one of the Military Knights, on the Upper Foundation. He entered the 11th light dragoons in 1786. In 1792 he accompanied Lord Macartney in his embassy to China, and crossed the "Great wall," into Tartary. He was afterwards appointed adjutant in the 13th light dragoons, and nobly bore his share in all the fatigues and glories of the Peninsular war. At the battle of Talavera he received a sabre wound on the hand, in single combat with a French officer, which caused him the loss of a finger.

— At Sandhurst, aged 86, John Emilius Daniel Finch Hatton, esq., Senior Bencher of the Inner Temple, Paymaster of Widows' Pensions in the Admiralty office, and Inspector-Gen. of coffee, tea, &c. in the Excise; uncle to the Earl of Winchilsea. He was called

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to the bar at the Inner Temple, May 18, 1781. He was not married.

— At Birmingham, aged 64, Thomas Rickman, esq., a celebrated architect.

— At Binn's House, Linlithgow, aged 66, Sir James Dalyell, of Binns, the fifth bart. (1685), Convener of the county.

— At Edinburgh, D. Ellis, esq., F.R.S.E., brother to W. V. Ellis, esq., of Minsterworth, near Gloucester.

— In Montego Bay, aged 117, Mrs. Princess M'Unwin. She arrived at Kingston during the administration of the government by Sir E. Trelawney (1739), being then about sixteen years old.

— At Paris, M. François Noel, Inspector-General of Public Instruction, to which office he was appointed by Napoleon when First Consul.

— At Shide, Isle of Wight, Sir Henry Worsley, G.C.B., a Major-General in the East India Company's service. In the autumn of 1799 Sir Henry obtained a commission in the 5th foot, then under orders to proceed with expedition, under the Duke of York, to North Holland, and formed part of the brigade commanded by the late Duke of Gloucester. In the battle of the 19th Sept., near Bergen, Ensign Worsley carried one of the colours of his battalion. In 1809, having now attained the rank of Captain, he joined the 85th regt., and was placed on the staff of Sir Eyre Coote, on the formation of a force destined for the Scheldt, under Earl Chatham. At the siege of Flushing he performed the duties of Aide-de-camp. After the evacuation of Walcheren, Capt. Worsley was nominated Major of Brigade on the Household-Staff; in 1811 he removed from that station to engage in the scenes in the Peninsula, in a similar capacity, in a brigade in the 7th division of the army. He was present at the battle of Fuentes d' Onor, on the 5th May. At the siege of Badajos Captain Worsley offered his services to command one of the storming parties, which unsuccessfully attempted to carry Fort St. Christoval. Shortly after, he received a notification of his promotion to a Majority in the 4th garrison battalion, then stationed in the Island of Guernsey. In Jan., 1812, he joined the battalion of the 34th then serving in the 2nd division of the army under Lord Hill, and accompanied his division in all the operations of the campaign, marching upon Madrid, and being in the retreat from Salamanca. In 1813, after the battle of Vittoria, he obtained the rank of Lieut.-Colonel. He next served at the battles in the Pyrenees, where he commanded the 2nd battalion of the 34th, on Lieut.-Colonel Fenwick being wounded; and on the 31st of July, in the affair at the Pass of Donna Maria, he had his horse killed under him. On the following morning, Lieut.-Col. Worsley received the thanks of Lord Hill for the services of his battalion on the preceding day. Lieut.-Col. Worsley served at all the subsequent movements of that year and following spring, including the battle of Toulouse; and he received medals for the battles of the Pyrenees, Nivelle, Nive, and Orthes. In 1816, Lieut.-Col. Worsley proceeded to India to join the 1st battalion 34th regt. on the Madras establishment; but, unfortunately, he was obliged to quit India for Europe for the benefit of his health. Some time afterwards he had the appointment of Captain of Yarmouth Castle, Isle of Wight, conferred upon him. Having been previously a Companion of the Bath, he was nominated a Knight Commander, Sept. 26, 1821, and a Grand Cross, Feb. 16, 1838.

FEBRUARY.

1. At Helston, aged 36, Mary Hannah, eldest daughter of the late Sir Vyell Vyvyan, of Trelowarren.

— In Whitehall-place, after a protracted illness, in his 52nd year, the Right Hon. Robert Henley, second Baron Henley of Chardstock, in the peerage of Ireland; a barrister-at-law. His Lordship was the second but eldest surviving son of the Right Hon. Morton Eden, first Lord Henley, by the Lady Elizabeth Henley, youngest daughter of Robert first Earl of Northington, Lord High Chancellor, sole heiress to her brother Robert, second and last Earl of Northington, K.T. His Lordship was educated at Christ Church, Oxford, where he attained the degree of M.A. June 9, 1814; was called to the bar at Lincoln's Inn, June 28, 1814; was for some time a Commissioner of Bankrupts; and was made a Master in Chancery March 23, 1826. His Lordship succeeded to the peerage Dec. 6, 1830, and assumed the name of Henley only,

by licence dated the 31st of March following. In 1823, Lord Henley published two volumes of the decisions of his grandfather, Lord Northington, in the Court of Chancery. In 1831 he produced a pleasing little volume, entitled "A Memoir of the Life of Robert Henley, Earl of Northington, Lord High Chancellor of Great Britain. Lord Henley married, March 11, 1824, Harriet, third daughter of the late Sir Robert Peel, bart., and sister to the Right Hon. Sir Robert Peel; and by that lady, who survives him, he had issue four sons, of whom two survive. He was buried in the family vault at Watford, in Hertfordshire.

2. At his residence on Woolwich Common, aged 67, Olinthus Gregory, LL.D. Dr. Gregory was born at Yaxley, in Huntingdonshire, January 29, 1774, of respectable parents. At the age of nineteen, shortly after he left school, Mr. Gregory made his first attempt as an author, in his "Lessons, Astronomical and Philosophical, for the Amusement and Instruction of British Youth," and at the age of twenty, a Treatise on the Sliding-rule and its most useful applications. About the year 1794, Mr. Gregory became acquainted with several distinguished students at Cambridge, at which University he was urged by them to enter; but certain scruples which he entertained at that period induced him to abandon all idea of becoming a minister of the Established Church. In 1798 Mr. Gregory proceeded to Cambridge, to assist the editor of a provincial paper, but this he relinquished in a few months; he then opened a bookseller's shop, announcing his intention to teach mathematics, with a resolution to follow that department in which he should prove most successful. The encouragement he met with induced him to dispose of his books at the end of about one year, and devote his whole time and talents to his duties as a preceptor. In the spring of 1801 he wrote a treatise on astronomy, and dedicated it to his friend, Dr. Hutton. In the year 1802, the Stationers' Company consigned to Mr. Gregory the editorship of the "Gentleman's Diary," and another of their almanacks. About the same time he undertook the general editorship of the Pantalogia, a comprehensive dictionary of arts and sciences. In December of the same year, on the enlargement of the Royal Military Academy for the instruction of gentlemen cadets at Woolwich, Mr. Gregory was appointed mathematical master through the influence of Dr. Hutton. Shortly after this period he received from Marischal College, Aberdeen, the degree of M.A., as a tribute of respect to his merit; and about three or four years afterwards, on presenting the same college with a copy of his Treatise on Mechanics and the first volume of his Pantalogia, he received the further degree of LL.D. Dr. Gregory gave such satisfaction at the Royal Military Academy, that he was gradually promoted through the intermediate stages to the Professor's chair, which he filled with the highest reputation until obliged through ill health, brought on by intense study, to resign it in June, 1838. Dr. Gregory was the author and editor of a great number of works and papers on the arts and sciences. He was one of the twelve gentlemen who had the honour of establishing the Astronomical Society of London.

— At Hamburgh, Henry Canning, esq., brother to the Right Hon. Sir Stratford Canning, and cousin to Viscount Canning, British Charge d'Affairs and Consul-general at that port.

3. At Spring-Garden-terrace, Sir George Harrison, K.C.H., for many years Assistant Secretary to the Treasury, and subsequently Auditor of her Majesty's Duchies of Cornwall and Lancaster.

5. At her residence at Whitehall, aged 84, the Hon. Lady Stuart. The deceased was Anne Louisa, second daughter of the late Lord Vere Bertie, and granddaughter of the first Duke of Ancaster, and married 19th April, 1778, the Hon. Sir Charles Stuart, K.C.B., fourth son of John third Earl of Bute, by whom her Ladyship had issue two sons, namely, Charles Stuart, now Lord Stuart de Rothesay, and Captain John Stuart, R.N., who died in 1811.

7. At Tooting, after a very short illness, aged 73, Charles Fourdrinier, Esq., formerly a wholesale stationer. This much respected gentleman was on the Court of Assistants of the Companies of Drapers and Stationers; of both which corporations he had recently served the office of Master.

9. At Cassel, aged 60, the Electress of Hesse. She was a Princess of Prussia, and sister to the late Duchess of York.

12. At his residence in Conduit-

street, Hanover-square, aged 72, Sir Astley Paston Cooper, bart. G.C.H., Serjeant-Surgeon to the Queen, D.C.L. and F.R.S. This highly distinguished surgeon was the youngest son of the Rev. Samuel Cooper, D.D., rector of Yelverton and Morley, Norfolk, and Maria-Susannah, daughter and heiress of James Bransby, esq. of Shottisham, in the same county, by Anna-Maria, daughter and co-heiress of James Paston, of Harleston, M.D. He was born, on the 23rd of August, 1768, at Brooke, Norfolk. His father removed to Yarmouth in 1782, and shortly after Sir Astley commenced his medical career under Mr. Turner, an apothecary in that town. In 1784 he came to London in order to attend the hospitals, and was bound apprentice to his uncle, William Cooper, esq., then surgeon to Guy's Hospital, but, three months after, was transferred to Mr. Cline. In this situation his character almost immediately began to develop itself in that decided manner which raised him afterwards to such professional eminence. In 1787 he went to Edinburgh, where he highly distinguished himself by his knowledge of anatomy. At this time Mr. Cline was surgeon of St. Thomas's Hospital, and teacher of anatomy and surgery; and Astley Cooper resided in his house. Mr. Cline had the sagacity to discover the value of such a coadjutor, and appointed him, in the first place, demonstrator to the pupils, and soon after assigned him a share in his anatomical lectures. These lectures were really the foundation of his fame and fortune. His class at first consisted of fifty students, but they increased to 400, which was by far the largest ever known in London. In the year 1791 his apprenticeship ended, and on the 12th of Dec. 1792, he married Anne, the daughter of Thos. Cock, esq., of Tottenham. In the year 1792 he went to Paris, and attended the lectures of Desault at the Hotel Dieu, and those also of Chopart. On his return he commenced practice, and took up his residence in Jeffrey-square, St. Mary Axe, where he lived for six years. Thence he went to New Broad-street, where he remained till 1815. He then removed to New-street, Spring-gardens, and there continued to carry on a practice, unexampled for extent and emolument in the annals of surgery of this or any other country. In 1822, the last year of his abode in the city, he realised the largest sum ever known by a medical practitioner; no less, indeed, than 21,000*l.*! and for years after his removal to the west end of the town the same astonishing celebrity, with its consequent wonderful income of from 18,000*l.* to 20,000*l.* per annum, attended his footsteps. Having been appointed surgeon to George IV., he was one of the Baronets made at his Majesty's coronation in July 1821. In 1827 he was nominated Serjeant-surgeon. He attended William the Fourth when he was First Lord of the Admiralty; and the Earl of Munster, when he had a severe compound fracture of his leg. In addition to these honours, numerous foreign academies, and almost all the scientific institutions of this country, have been eager to enrol his name among their members, as the Royal Institute of Paris, that of the Netherlands, &c. The University of Oxford conferred upon him the degree of Doctor of Civil Law. He was President of the Royal College of Surgeons in the years 1826 and 1837. The publications of Sir A. Cooper, without possessing the charm of elegant diction, are full of matter, as his lectures were of old. His work on Hernia is a standard class-book. His treatise on Dislocations also occupies the highest place; and the best test of its utility is found in the constant practice of its luminous and unerring precepts. His later publications display the same energy as those of his vigorous and busy days. Some years ago, satisfied with wealth and covered with honour, Sir Astley Cooper had fancied that retirement would suit his advancing age, and private philosophical pursuits be sufficient for his thirst of knowledge and activity of intellect; but it was no surprise to any one acquainted with the energy of the individual, that, tired with the country, he should return to London, and resume his professional avocations. By his marriage with Miss Cock Sir Astley had only one daughter, who died young. Lady Cooper died in June 1827, and in July 1828, Sir Astley married secondly Catharine, daughter of John Jones, Esq., of Derry Ormond, Cardiganshire. His nephew and godson, who has succeeded to the baronetcy (by a special remainder), and is now Sir Astley Paston Cooper, is the fourth son of the late Rev. Samuel Lovick Cooper, rector of Ingoldesthorp and Barton, Norfolk. His nephew

Bransby Cooper, another of that brother's sons, and Mr. Aston Key, and Mr. Tyrell, are left his executors. Sir Astley's personal property was sworn under 80,000*l.* He has left six prizes to be competed for annually by medical men on different subjects. Sir Astley Cooper's personal appearance was singularly impressive and commanding. The lustre and penetration of his eyes gave an extraordinary animation to his countenance. His voice was dignified, full of power and kindness. A very beautiful portrait of him was painted by Sir Thomas Lawrence.

15. At Montrieux, in Switzerland, Miss Harriette Campbell. This gifted authoress was born at Stirling, in August 1817. In her very childhood she exhibited marks of genius and talent. Before she was twelve years old she had read almost all the best authors in her own language, besides making herself familiar with the literature both of France and Italy. She had likewise indulged her taste for literary composition, both in prose and verse, to a great extent. Her father, Robert Campbell, esq., being in the habit of removing with his family every summer to the Highlands, she became deeply imbued with the legendary tales of her native country, and an enthusiastic admirer of the character and occupations of its inhabitants. To these inspirations the tone of her "Legends of the Lochs and Glens," several of which appeared in "Bentley's Miscellany," affords ample testimony. Miss Campbell's works were a novel, called "The Only Daughter," published in 1839, which was well received by the public, and "The Cardinal Virtues," a work which places her at once in a high rank of female writers.

16. Richard Page, esq., the well-known author of "Letters on the Currency, by Daniel Hardcastle."

17. In Southampton-street, Fitzroy-square, aged 65, Joseph Chitty, esq., a very eminent special pleader. Mr. Chitty was the author of many legal works of great authority.

19. At Balls Park, Hertfordshire, the seat of his son-in-law, Capt. Townshend, in his 61st year, Lord George Stuart, Rear-Admiral of the Blue, and C.B., uncle to the Marquess of Bute. His Lordship was born March 4, 1780, the seventh son of John first Marquess of Bute, by his first wife, the Hon. Charlotte Jane Windsor, eldest daughter and co-heiress of Herbert, last Viscount Windsor. He was educated at Eton, and entered the navy towards the close of 1793, as a midshipman, on board the *Providence* of 16 guns, Capt. William R. Broughton, in which he made the voyage to the Sandwich Islands, China, and the Pacific ocean, which is described in a quarto volume published in 1804. In May 1797, the *Providence* was wrecked near Typinsan, an island lying between Formosa and the Great Loo Choo. Lord George Stuart was made a Lieutenant in 1800, a Commander in 1802, and confirmed in his post rank March 3, 1804. He was in command of the *Sheerness* 44, when that ship was driven on shore at Ceylon by a violent hurricane, in Jan. 1805. His Lordship subsequently commanded the *Duncan* frigate, and on the 8th April 1806, captured a French privateer of 8 guns and 71 men. In the summer of 1807, he was appointed to *l'Aimable* 32, on the North Sea Station, where he intercepted another marauder of the same description, mounting 16 guns. On the 3rd Feb. 1809, Lord George Stuart captured, after a chase of twenty-eight hours, and a short running fight, *l'Iris*, French national ship, pierced for 32 guns, but only mounting 24. In July following, he assumed the command of a light squadron employed at the mouth of the Elbe, and on the 26th of that month he performed an important service in attacking and driving the enemy from the town of Gessendorf; which service, though the place was twenty-eight miles from Cuxhaven, was entirely accomplished in twenty-four hours, within which time the whole detachment returned, and were safely embarked on board their respective ships, without the loss of an individual. This service was rendered of great importance by the circumstance, that the heroic Duke of Brunswick Oels, having at that moment nearly effected his fine retreat through the heart of Germany, arrived a few days afterwards on the opposite bank of the Weser, and was enabled to embark and bring away his brave companions in arms. Lord George's next appointment was about September 1810, to the *Horatio*, a 38-gun frigate. On the 7th December of that year, he again distinguished himself on shore, in assisting to drive the French from Zierickzee, whereby we obtained the whole island of

Schowen, without bloodshed, and opened a means of communication with the allied forces in the South of Holland. Lord George Stuart was soon after appointed to the *Newcastle* of 58 guns, built for the express purpose of coping with the American ships of similar force, but had not the good fortune to meet with them. His Lordship was nominated a C. B. in 1815, and attained the rank of Rear-Admiral in 1837. He married in 1800 Jane, daughter of Major-General James Stuart, whom he has left his widow, having had issue two sons and three daughters.

— At Hausen, aged 64, the Princess Amelia of Anhalt-Bernburg-Schaumburg, born a Princess of Nassau.

20. At Inverary, blown off the quay by a gust of wind, aged 88, Dr. Anderson, a highly-esteemed and venerable physician, who had practised for forty-five years in that town.

— At the assault at Kujjuck, in Upper Sind, Lieut. Richard Creed, Bombay Artillery, son of Richard Creed, esq. of Walthamstow.

— At Paris, in his 85th year, Claude François Chaveau-Lagarde, the courageous defender of Marie Antoinette. He was ennobled by Louis XVIII., and was appointed in 1828 to the office of a Councillor of the Court of Cassation, which he held at his death.

21. In Tavistock-square, in his 84th year, William Frend, esq. M.A., late Fellow of Jesus College, Cambridge. Mr. Frend was the second son of Mr. George Frend, an alderman and twice mayor of Canterbury, where he was born on the 22nd November 1757. He received his early education at the King's School in that city. Among his contemporaries at school, were his cousin Herbert Marsh, afterwards Bishop of Peterborough, and Lord Chief Justice Tenterden. Mr. Frend entered at Christ College, Cambridge, in 1775, and after having gained various college prizes, took his degree of B.A. in 1780, being second wrangler and a Smith's prizeman of his year. Subsequently he removed to Jesus College, of which in the same year he was elected Fellow and Tutor. He was shortly afterwards ordained Deacon, and in 1783 received priest's orders from Dr. Yorke, the Bishop of Ely. About this time Mr. Frend was offered the appointment of tutor to the Archduke Alexander of Russia, the salary proposed being 2000*l.* per annum, with a suitable establishment, and a retiring pension of 800*l.* a year for life: all his views centering in the church, he declined this offer. In November 1783, he was presented by Sir John Cotton to the small living of Madingley in Cambridgeshire, of which he continued to officiate as incumbent until June 1787, devoting himself most zealously to his pastoral duties, and taking particular interest in the education of the poor, an object which he endeavoured to promote by the establishment of Sunday schools in his parish. In that year a change took place in his religious opinions, which induced him, after the most serious inquiry and many painful struggles, to resign his living. His motives for taking this step are explained by himself in the preface to the first edition of "Thoughts on Subscription to Religious Tests," and in a "Letter to the Rev. H. W. Coulthurst, B.D." This step was soon followed by the loss of his office as Tutor of the College. In 1793 he wrote his pamphlet entitled "Peace and Union recommended to the associated bodies of Republicans and Anti-Republicans." For having published this pamphlet in the University, he was, to use the terms of the sentence pronounced against him by the Master and a majority of the Fellows of Jesus College, "removed from the College, that is, from the precincts of the College and from residence in it, till he shall produce such proofs of good behaviour as shall be satisfactory to the Master and a major part of the Fellows." From this sentence he appealed to the Bishop of Ely, the visitor of the college, who dismissed the appeal and confirmed the sentence of "amotion." While the proceedings in his own college were pending, Mr. Frend was cited to appear before the Court of the Vice-Chancellor of the University, on a charge of having violated the statutes of the University by the publication within its precincts of the pamphlet in question. A trial of eight days ensued, at the conclusion of which, sentence of banishment from the University was pronounced against him. Mr. Frend subsequently removed the proceedings into the Court of Delegates, where the sentence of the Vice-Chancellor was affirmed; and at a later date made an application to the King's Bench at Westminster, but that court refused to interfere in the matter. Thus ended the proceedings in this case, which ex-

cited great interest at the time, and the details of which in each stage may be found in the "State Trials," and also in his own published account. Mr. Frend retained his Fellowship till his marriage, and remained a member of Jesus College, and a member of the senate of the University, to the day of his death. After leaving Cambridge he fixed his residence in London, occupying principally chambers in the Middle Temple. In 1796 and 1799, he published his "Principles of Algebra," and many other tracts and pamphlets. In 1808 Mr. Frend married Miss Blackburne, daughter of the Rev. Francis Blackburne, Vicar of Brignall in Yorkshire, the eldest son of the celebrated Archdeacon Blackburne, author of the "Confessional." Mr. Frend had seven children, of whom five, viz. two sons and three daughters, now survive.

24. At Brighton, in his 83rd year, the Right Hon. Laurence Parsons, second Earl of Rosse, a Representative Peer and a Privy Councillor of Ireland, Custos Rotulorum of the King's County, LL.D. and M.R.I.A. His Lordship was born on the 21st May 1758, the eldest son of Sir William Parsons, Bart. M.P. for the King's County, by Mary, only daughter and heiress of John Clere, of Hilbury, esq. He succeeded his father in the baronetcy May 1, 1791. In early life Sir Laurence Parsons distinguished himself considerably in the Irish House of Commons, in which he sat as one of the representatives of the University of Dublin, and to the first Imperial Parliament he was returned for the King's County, which he continued to represent until his succession to the peerage. In March 1805, he was made one of the Lords of the Treasury in Ireland, and was sworn a Privy Councillor of that kingdom. Subsequently he was appointed Joint Postmaster-general for Ireland, and held that office for some years. In 1809, he was elected one of the Representative Peers of Ireland. On the death of his uncle, Laurence Harman, the first Earl of Rosse, on the 20th April 1807, he succeeded to the peerage, pursuant to the remainders with which both the earldom and the barony had been conferred.

27. Aged 80, Mrs. Anna Maria Hesketh, of Tulketh Hall, Lancashire, aunt to Sir Peter Hesketh Fleetwood, M.P., who by this event inherits property said to exceed 6000*l.* per annum.

— At Paris, aged 61, Sir William Lambart Cromie, Baronet of Ireland (1776).

28. At Wilton House, aged 23, the Right Hon. Georgiana Countess of Shelburne, half-sister to the Earl of Pembroke and the Countess of Normanton, and sister to the Countess of Clanwilliam, Countess Bruce, and Countess of Dunmore. She was married last year to Lord Shelburne, the only surviving son of the Marquess of Lansdowne.

— At Gairbraid, near Goderich, Upper Canada, Commander Robt. Graham Dunlop, R.N.

Lately. At his residence, Bryanstone-square, aged 75, Sir William Johnstone, the second bart. (1772), of Gilford Hall, Downshire. He was descended from the house of Annandale, and succeeded his father, the late Sir Richard Johnstone, the 23rd of April 1795. Sir William dying without issue, the baronetcy becomes extinct.

— In Portman-square, aged 84, Letitia, relict of General the Hon. E. Stopford, brother to the second Earl of Courtown.

— At Vienna, at the age of 79, Joseph Aloys Gleich, a most fruitful romance-writer; he is said to be the author of two hundred and fifteen romances, and upwards of three hundred dramatic pieces; and, besides, to have contributed very largely to several literary journals.

MARCH.

2. At Shrivenham, aged 72, the Right Hon. Elizabeth, Dowager Viscountess Barrington, second daughter of Mr. Robert Adair and Lady Caroline Keppel, daughter of William, second Earl of Albemarle; was married in 1788 to the late Viscount Barrington, who died in 1829.

— At his chambers in Clifford's Inn, aged 85, George Dyer, B.A., author of the History of the University of Cambridge, and of numerous works in prose and in poetry. The simple-hearted George Dyer, one of the last survivors of the old literary circle, was born in London, upon the 15th March 1755. The rank of his father was humble, but George owed his presentation to Christ's Hospital to his faithful services; he entered it at seven years old, and at a younger age than any on record reached the head of the school,

where he remained until he was nineteen years of age; and the necessary means for sending him to college were provided out of the Christ's Hospital fund, and by the handsome donation of a friend. He entered Emanuel College, Cambridge, in 1774, and while at Cambridge became acquainted with many talented men of a philosophical cast of mind, who being nonconformists themselves, confirmed him in disapprobation of the doctrine and discipline of the Established Church; he had not, however, at this time so far matured his objection to subscription to the 39 Articles, but that he deferred to authority, and took his degree of B.A. in 1778. From the year 1792, his residence was in London, where Dr. Priestley and Mr. Gilbert Wakefield were among his most influential friends: private tuition and literary labour were the sources of his maintenance, and he enjoyed the society of numerous eminent men, more especially among the circle of the Chapter Coffee-House Club, of which he was chosen a member. The department of learning in which Dyer was most remarkable, was his very extensive knowledge of books; he had visited all the public, and many of the private libraries throughout England and Scotland. As a classical scholar, Dyer distinguished himself by editing two plays of Euripides, and also a Greek Testament; but the greatest labour of his life was the share he had in the production of Valpy's edition of the Classics in 141 vols.; being a combination of the Delphin, Bipont, and Variorum editions. With the exception of the preface, Dyer contributed all that was original in this vast work, upon which he was engaged from the year 1819 to 1830. He had scarcely completed this work when his eye-sight gave way, and shortly afterwards left him in total blindness.

4. In Park-street, Grosvenor-square, aged 88, Margaret, relict of H. Cline, esq. of Lincoln's-Inn-fields.

5. At her mansion of Hill Court, aged 72, Miss Flora Langley Fust, niece of Sir John Fust, last baronet of the ancient house of the "Fusts, of Hill, county of Gloucester."

— At Edinburgh, the Right Rev. James Walker, D.D., Bishop in Edinburgh, and Primus of the Scottish Episcopal Church. He was formerly of St. John's College, Cambridge, where he graduated B.A. 1793, M.A. 1796. He was ordained to the holy ministry in 1793. Having occasion, some years afterwards, to be at Rome, he signalized himself as the first Protestant clergyman who established a regular service there, and administered the holy communion to the English residents. For a considerable number of years he was minister of St. Peter's Chapel in Edinburgh; but increasing infirmities obliged him long ago to resign that charge. In 1830, having been elected by the Episcopal Clergy of Edinburgh, &c. to succeed Dr. Sandford in that see, he was consecrated to the same, and after the death of Bishop Gleig was appointed *Primus*, or first Bishop. He also occupied, till very lately, the chair of the Pantonian Professorship, (the occupant of which has the care of the young men intended for the Episcopal Church in Scotland,) and was highly respected for his acquirements as a theologian.

— At Harrow-on-the-Hill, in his 63rd year, the Rev. Henry Joseph Thomas Drury, M.A., F.R.S., F.S.A., Lower Master of Harrow School, and rector of Fingest, Bucks.

10. At Leslie House, Fifeshire, in his 32nd year, the Right Hon. George William Evelyn Leslie Leslie, Earl of Rothes (1458), Baron Leslie and Ballinbreich in the peerage of Scotland, a Lieutenant in the Royal Fusileers. His Lordship was born on the 8th November 1809, the eldest son of Henrietta-Anne Countess of Rothes, by Mr. George Gwyther, who assumed the name of Leslie only. He succeeded his mother in the peerage on the 30th of January 1819.

— At East Cosham, Hampshire, aged 85, Charles William Paterson, esq., Admiral of the White. This gallant officer had served with unremitting perseverance in every quarter of the globe, and particularly under Lord Howe during the American war.

15. At Blackheath, aged 50, the lady of Sir John Hare, late of Springfield House, Somerset.

— At Nottingham, aged 63, Lieut.-Colonel Charles M'Grigor, K.H. barrack-master at that town, formerly of the 70th and 90th regiments. He was brother of Sir J. M'Grigor, Bart., F.R.S. and K.T.S., director-general of the army medical staff. He was originally educated for the legal profession; but that dry study was not in accordance with his desires, and he entered the army in

1794, as Ensign in the 33rd regiment. In 1799 he was serving with Colonel Wellesley in India, and was engaged at the taking of Seringapatam, and in the Mahratta war. For his gallantry at the taking of Cougall and Dumenall he was appointed Brigade-Major; soon after which he was compelled, from ill health, to return to this country. Shortly after his arrival he obtained a company in the 90th regiment, and accompanied that regiment to the West Indies, where, in 1804, he held an appointment in the Quarter-Master-general's department. He was present at the taking of Martinique and Guadaloupe, and in recognition of his services he received the rank of brevet Major. On his return to England he obtained a majority in the 63rd, from which regiment he subsequently exchanged into the 70th, and went with that corps to Canada in 1813. In the following year he was made Lieut.-Colonel by brevet, and in 1823 purchased the lieut.-colonelcy of that regiment. On account of ill health he was obliged to retire from active duty in 1829, when he was made a K.H. The deceased was appointed barrack-master of Nottingham in 1837.

— At Rome, in his 70th year, Cardinal Juan Francesco Marcosy Catalan, a native of Spain. He was invested with the purple on the 5th December 1828, by Leo XII., under whom he held the office of Governatore of Rome.

16. At Brixton, aged 47, the Right Hon. George Arthur Viscount Valentia, only surviving son of the Earl of Mountnorris. He married in 1837 Frances Cockburn, only daughter of the late C. J. Sims, esq.

— At Wrottesley, near Wolverhampton, in his 70th year, the Right Hon. John Wrottesley, Baron Wrottesley (1838); and the ninth baronet (1642); Lieut.-Colonel of the West Staffordshire Militia, and F.S.A. Lord Wrottesley was born on the 24th October 1771, the eldest son of Sir John Wrottesley, the eighth baronet, a Major-General in the army, M.P. for Staffordshire from 1778 to his death in 1787, by the Hon. Frances Courtenay, daughter of William first Viscount Courtenay. He succeeded to the title of baronet, when in his minority, on the death of his father, April 23, 1787. Shortly after coming of age he was returned to Parliament for Lichfield. He was rechosen in 1802, but in 1806 was supplanted by Mr. Venables Vernon (now Harcourt). In 1820 he was again returned to Parliament as one of the members for Staffordshire; and after the passing of the Reform Act he represented the southern division of the county, until the year 1838, when, on the decline of whig popularity in the counties, his re-election became endangered, and he was advanced to the House of Peers. Lord Wrottesley was twice married. His first wife, to whom he was united on the 23rd January 1795, was Lady Caroline Bennett, daughter of Charles fourth Earl of Tankerville, and sister to the present Earl; and by that lady he had ten children. Lady Caroline Wrottesley died in 1818, and Sir John married, secondly, her sister-in-law Charlotte, widow of the Hon. John Astley Bennett, Capt. R.N., and daughter of John Conyers, esq., of Copthall, Essex, who survived him. The body of the late Lord Wrottesley was interred in his ancestral vault at Tettenhall church.

17. At Putney, Rosamond, wife of William Lynn Smart, esq., of Trewhitt House, Northumberland.

18. In Chapel-street, Grosvenor-square, aged 70, the Right Hon. Elizabeth Emily, dowager Countess of Westmeath. She was the eldest daughter of Charles first Marquess of Drogheda, by Lady Ann Seymour, eldest daughter of Francis first Marquess of Hertford, and became in 1797 the second wife of George Frederick seventh Earl of Westmeath, who died in 1841. She was left a widow in 1814.

19. In Bedford-square, aged 70, Sir John Richardson, Knt. M.A., formerly one of the Judges of the Court of Common Pleas. Sir John Richardson was a member of University College, Oxford, where he attained the degree of M.A. in 1795. He first practised as a special pleader, before his call to the bar, which took place at Lincoln's Inn, June 23, 1803. He then attended the Northern Circuit. He was appointed Justice of the Common Pleas during the Michaelmas vacation 1818; and received the honour of knighthood June 3, 1819. He resigned his seat on the bench in the Easter vacation 1824. He was considered by the profession as one of the soundest lawyers of his time.

— Sir Stewart Bruce, bart., Gentleman Usher of the Castle of Dublin, and Genealogist of the most illustrious Order of St. Patrick. Sir Stewart was first in

the Royal Navy, and afterwards obtained the rank of Major in the Army. He was invested with the ribband and badge of Genealogist of St. Patrick, December 18, 1804. He was created a Baronet of the United Kingdom, by patent dated 24th December 1812.

— In his 71st year, Rowley Lascelles, esq., one of the benchers of the Middle Temple. Mr. Lascelles was educated at Harrow School, and was called to the bar at the Middle Temple, February 10, 1797. He afterwards for about twenty years practised at the Irish bar. Mr. Lascelles was the editor of the "Liber Hiberniæ," a collection of ancient documents relating to the government of Ireland from the reign of Stephen: this gigantic work, undertaken by the direction of the Record Commission, was never completed. Mr. Lascelles was also the author of several Treatises and Pamphlets.

21. The Most Hon. Anne, Marchioness of Winchester. She was the second daughter of the late Mr. John Andrews, and was married to the Marquess in 1800.

— At St. Vernon in France, in his 67th year, Richard Estcourt Cresswell, esq., of Pinkney Park, in the county of Wilts, and of Sidbury, Salop. He married, first, Anna Maria, only child and heiress of the Rev. John Wootton, of Engleborne, Devon, by whom he had an only daughter, Mary, married to the Rev. Thomas Fry, M.A. of Emberton, Bucks. His first wife dying 30th Sept. 1772, he married, secondly, Miss Gregory, of Sherston, Wilts, by whom he had several children, including the gentleman now deceased. In the Parliament of 18.. he represented the borough of Cirencester; and at the general election of 1826 he was an unsuccessful candidate, on the Whig interest, for Taunton. He married Elizabeth, daughter of the Rev. Charles Coxwell, of Ablington House, in the county of Gloucester, by whom he has left an only surviving son and six daughters.

22. In London, aged 29, Mr. Christopher Tate, sculptor, of Newcastle-upon-Tyne. Mr. Tate served his apprenticeship as a marble mason with Mr. Davis, of that town. After his servitude had expired, he became assistant to Mr. Dunbar, the sculptor, at that time residing in Newcastle. He turned his attention to modelling, and the busts of some of his early friends were the result of his spare time. After remaining with Mr. Dunbar for a few years, Mr. Tate left his service, and commenced the struggle on his own account; he persevered with undaunted energy, and just at the time when he had gained an independent footing, his days have been prematurely brought to a close. His first effort was the study of a "Dying Christ," suitable for Catholic chapels, &c. After this was completed, he commenced his celebrated statue of "Blind Willie." His busts, for execution, precision, and arrangement, can scarcely be surpassed. Among them were those of the Duke of Northumberland, H. Phillips, esq. the singer, David Urquhart, esq., Sheridan Knowles, esq., George Straker, esq., Miss Elphinstone, and the Rev. Mr. Worswick.

23. At his villa of Fossombrone, the celebrated Bergami, who figured in the trial of Queen Caroline of England.

25. At the Bilton hotel, Sackville-street, Dublin, aged 62, the Right Hon. Charles Henry St. John O'Neill, Earl O'Neill, of Shane's Castle, county Antrim, a representative Peer and a Privy-Councillor for Ireland, Vice-Admiral of the coast of the province of Ulster, Lord-Lieutenant of the county of Antrim, and Colonel of the Antrim Militia. Earl O'Neill was born on the 22nd January 1779, the eldest son of John first Viscount O'Neill, by the Hon. Harriet Frances Boyle, only daughter and heiress of Charles Lord Dungarvon, eldest son of the fifth Earl of Cork and Orrery. He succeeded to the peerage previously to attaining his majority, on his father's death, which occurred June 7, 1798, in consequence of a wound received in an encounter with a party of the rebels in Ireland. His Lordship was advanced to the dignity of an Earl, by patent dated August 7, 1800; and was elected, in 1802, one of the representative Peers for Ireland. In 1808 he was nominated joint Postmaster-General for that kingdom. He was elected a Knight of St. Patrick in 1809. His Lordship was Grand Master of the Orangemen in Ireland, until the Orangemen of England and Ireland became joined in an imperial confederation under the grand-mastership of the Duke of Cumberland (the present King of Hanover). Earl O'Neill having died unmarried, he is succeeded in the peerage by his brother, General O'Neill, M.P. Antrim co., and Constable of Dublin Castle.

DEATHS—MARCH.

26. At Northend House, Twickenham, aged 76, Rebecca, relict of the late Henry C. Senior, esq.

— At Twickenham, aged 100 years and 10 months, Eliza, relict of Lieut.-Gen. Henry Lister, late of the Coldstream Guards.

29. At Reading, at an advanced age, Vice-Admiral Sir Thos. Dundas, K.C.B. and D.C.L. This officer had been in the navy for sixty-three years, and had seen much service. After commanding the *Merlin* sloop of war for a considerable period in the North Sea and British Channel, he was promoted to the rank of Post-Captain July 9, 1798; and about the same time appointed to *la Prompte* of 20 guns. In March 1799, he burnt a Spanish vessel of war, pierced for 26 guns, but with only 12 mounted. His next appointment was to the *Solebay* frigate. Towards the latter end of 1804, when in the *Naiad* frigate, he made prize of a Spanish ship worth upwards of 200,000 dollars. In the same vessel he also assisted at the capture of the *Fanny*, a French privateer of 16 guns and 80 men, and the *Superb* letter of marque, of 4 guns and 20 men. The *Naiad* was one of the repeaters to Lord Nelson's fleet in the glorious battle of Trafalgar, and rendered essential service afterwards, by towing the *Belleisle*, 74, from her perilous situation near the shoals, whither she was fast drifting. Capt. Dundas subsequently commanded the *Africa* of 64 guns, and the *Vengeur* 74. He commissioned the *Bulwark* of 76 guns, on the 28th of March, 1822, which was stationed at Plymouth. He was advanced to the rank of Rear-Admiral 27th of May 1825, and Vice-Admiral 10th of January 1837. For his eminent services he was nominated in September 1831, a K.C.B., and was one of those naval officers who had an honorary reward from the Patriotic Fund.

31. Aged 74, Sir Joseph Huddart, Knt. of Brynkir, Carmarthenshire, and Norfolk-crescent, Bath.

Lately. Captain Walter Croker, R.N. This daring and chivalrous officer was the son of the late Edward Croker, of Lisnabrin House, near Tallow, co. Cork, esq. He was born on the 9th March 1784, and commenced his career early in 1798, as midshipman on board the *Galatea* frigate, and distinguished himself in the subordinate grades of his profession by his daring and resolution. Mr. Croker was promoted into the *Active* frigate, Captain Moubray, by commission dated Feb. 6th, 1806. She formed part of the squadron under Sir John T. Duckworth, at the forcing of the passage of the Dardanelles, Feb. 19, 1807, on which occasion Lieut. Croker led the boarders sent in boats to attack a fine Turkish frigate of 56 guns and 450 men, which was destroyed, and he had the honour to cut down the Ottoman colours with his own hand. Two days after this event he commanded a party of the *Active's* seamen employed in completing the demolition of the formidable battery on Point Pesquies, under the orders of Lieut. Carroll, of the *Pompée* 74. In the beginning of 1808 he joined the *Thames* frigate, commanded by his friend Capt. B. W. Taylor, in which situation he performed two most gallant achievements; one was the saving the crew of a prize trabaccolo, during an awful gale; and the other the cutting out of a large store ship from the harbour of Corfu. The *Thames* returned home under the command of Capt. the Hon. G. G. Waldegrave (since Lord Radstock), and Lieutenant Croker was soon afterwards sent out to the West Indies, on the Admiralty list for promotion. He there served in the *Melampus* frigate, under the command of Captain Edward Hawker; and was with that officer when he captured *le Beauharnois*, of 16 guns, laden with stores. After assisting at the reduction of Guadaloupe, Mr. Croker was appointed first lieutenant of the *Papillon* sloop, Captain James Hay, by which vessel some important despatches were subsequently brought to England. His next service was in the West Indies, as second lieutenant of the *Leda* frigate, Captain George Sayer: from which station he returned, in ill health, first of the *Diomede* 50, Captain Hugh Cook. In November 1811, he was appointed senior lieutenant of the *Furieuse* frigate, Captain W. Mounsey, who spoke highly of his conduct at the reduction of Ponza, an island near the Neapolitan coast, Feb. 26, 1813. He had previously assisted in capturing two French privateers, each mounting four guns; and he afterwards commanded the boats of the *Furieuse* at the capture and destruction of several other vessels. The *Furieuse* formed part of the squadron under Sir Josias Rowley, at the unsuccessful attempt upon Leghorn, in Dec.

1813. Lieutenant Croker also assisted at the reduction of Genoa and its dependencies, in the month of April following. His promotion to the rank of commander took place Nov. 2, 1814; on which occasion he was appointed to the *Wizard* sloop, in the Mediterranean. The death of this daring and somewhat rash officer occurred in July last, in a manner characteristic of his earlier career. In command of H. M. S. *Favourite*, 18, to which he was appointed in 1837, visiting the island on which Williams, the missionary, met his death, he called at another, named Tonga, or more commonly called Tongataboo (Tonga the Sacred), the inhabitants of which were engaged in an internal war, being divided into two opposite parties —namely, the Christian, or followers of the Methodist missionaries, and the heathen, or those retaining the ancient religion of the island. The latter party had entrenched themselves in a strong fortress or stockade, to the great annoyance, it appears, of the Wesleyans and their disciples. These applied to the *Favourite* for assistance, which was almost immediately granted, and a considerable number of the crew offered themselves as volunteers for the expedition. After a fruitless attempt to induce the natives to surrender, a fire was opened on the fort, and an attempt made to storm it; but the attack was disastrous, and terminated in the death of Captain W. Croker and George Freathy and John New, petty officers, besides whom Lieutenant Dunlop and fourteen of the crew of the *Favourite* were severely wounded, and six seamen and marines slightly.

— At Stonehouse, Devonport, aged 55, Bartholomew Kent, esq., Commander R.N. Captain Kent was a brave and active officer, and had seen much service in the South Seas, in the Channel, at the bombardment of Copenhagen, in the West Indies, and the Halifax station, and was first lieutenant of the *Guerriere*, in her unfortunate action with the *Constitution*.

— Supposed to have been lost on his passage from America to England in the *President* steam-ship, aged 24, William Fiennes Wykeham Martin, esq., youngest son of the late Fiennes W. Martin, esq. of Leeds Castle, Kent.

APRIL.

2. In Park-lane, aged nearly 74, the Most Noble Susan Duchess dowager of Marlborough. She was the second daughter of John seventh Earl of Galloway, K.T., by his second wife Anne, daughter of Sir James Dashwood, bart.; was married in 1791 to George late Duke of Marlborough, who died in March, 1840, having had issue six children, of whom only one, the present Duke, now survives. Her Grace's body was interred in the chapel at Blenheim.

4. At his official residence in Boston, in his 69th year, William Henry Harrison, President of the United States of America. William Henry Harrison was born in Virginia, on the 9th February, 1773. His father, Benjamin Harrison, was one of the patriots of the Revolution, and was a very distinguished member of the first Congress of the United States which met at Philadelphia, in 1774, and one of the most conspicuous of the signers of the Declaration of Independence, and afterwards was elected Governor of his native State. This eminent patriot died in 1791, leaving his son William under the guardianship of his friend, the celebrated Robert Morris. Young Harrison was educated at Hampden Sydney College, and by the advice of his friends turned his attention to the study of medicine. But about the period when he had completed his education, soon after the death of his father, the increased and barbarous hostilities of the Indians on the north-western borders, began to excite a feeling of indignation through the whole country. In this general excitement the young student participated so warmly, that he resolved to relinquish his professional pursuits, and join the army destined to the defence of the Ohio frontier. He received the commission of an Ensign in the United States Artillery in 1791, when he was but eighteen years of age, was soon promoted to a Lieutenancy, and fought under General Wayne, who spoke of his gallant conduct in the most flattering manner. After the desperate battle of the Miama, he was promoted and placed in command of Fort Washington, the most important station on the western frontier. He remained in the army till

the close of the year 1797, when, as there was no longer an opportunity to serve his country in the field, he resigned his commission, to commence his career of civil services. He was almost immediately appointed Secretary and *ex-officio* Lieutenant-Governor of the North-Western territory, which then embraced the whole extent of territory lying north-west of the Ohio river. At the age of twenty-six he was elected to Congress, where he distinguished himself as an able and efficient representative, and was subsequently appointed Governor of Indiana Territory. In 1803 he received an honourable appointment from Mr. Jefferson; and in 1811 he assembled a body of volunteers and militia, and marched against the Indians, who, under Tecumseh, had created serious disturbances on the frontier. He left Fort Harrison, on the Wabash, about sixty miles above Vincennes, the 28th of October, 1811. Profiting by his own early experience (this was seventeen years after the battle of Miama), and the remembrance of his old friend and commander, General Wayne, his march through a wild country to Tippecanoe was conducted with so much skill and prudence, that he avoided all danger of ambuscade or surprise from the savage foe. On the 6th of November the army arrived within five or six miles of the Prophet's Town. The battle of Tippecanoe took place the next day, and resulted in a signal victory to the American arms. It was received throughout the country with a burst of enthusiasm. His subsequent military achievements and signal victories are well known. The leading events in the campaigns of 1812-13, the gallant defence of Fort Meigs, and the decisive victory of the Thames, are lasting memorials of General Harrison's military genius. In the summer of 1814, Mr. Madison evinced his unabated confidence in the abilities and integrity of General Harrison, by appointing him to treat with the Indians, in conjunction with his old companions in arms, Governor Shelby and General Cass; and in the following year he was placed at the head of another commission, appointed to treat with the north-western tribes. The advantageous treaties made in both these cases, afforded new instances of the unfailing success that had always attended General Harrison's negociations with the Indians. In 1816 he was elected, by a large majority, a member of the House of Representatives in Congress, from Ohio. In 1828 he was sent as United States Minister to Colombia. On his return he took up his residence at North Bend, in Ohio, whence he was called, in 1840, by the people of the United States, to preside over the country as its chief magistrate. His election was a triumphant one, and his progress to take possession of his high office was marked by the most touching and gratifying demonstrations of popular affection and confidence. His inaugural address served still further to strengthen his hold upon the affections of the American people, while his death at such a moment, and with his administration and his measures but just budding into existence, produced the deepest sensation throughout the republic. He was the first American President who died in office; and at the time of his decease was, beyond all question, the most popular individual, either in or out of office, in the United States. According to the fundamental law of the United States, Mr. Tyler, the Vice-President, succeeded to the Presidency for the unexpired term of General Harrison's office.

7. At Theobald's Park, Hertfordshire, in his 71st year, Sir Henry Meux, bart. Sir Henry was descended from an old Isle of Wight family. The elder brother of his grandfather's grandfather, Sir John Meux, was created a baronet in 1641; and the title became extinct with his grandson, the third baronet, in 1705. Sir Henry was the second son of Richard Meux, esq., of London, brewer, by Mary, daughter of Henry Brougham, esq., of Brougham Hall, co. Westmoreland, and aunt to Lord Brougham and Vaux. Sir Henry Meux was created a Baronet September 30, 1831. He married, in November 1814, Elizabeth Mary, daughter of Thomas Smith, of Castlebar House.

10. At Brighton, aged 37, Meredith Maria, wife of Sir Windham Carmichael Anstruther, bart. She was the second daughter of Charles Wetherell, esq.

— In Bolton-row, Piccadilly, aged 68, General Sir Ronald Crawford Ferguson, Colonel of the 79th regiment, and M.P. for Nottingham. Sir R. Ferguson was the second son of William Ferguson, of Raith, in Fifeshire. At

the age of seventeen, Sir Ronald entered the army as an Ensign in the 53rd regiment of foot. In 1793, he had attained the rank of Captain in the 53rd foot, and accompanied his regiment to Flanders. Early in that year the troops were landed at Antwerp, and with the 14th and 37th regiments formed into a brigade, commanded by Sir Ralph Abercromby. This brigade served at Valenciennes, Dunkirk, and after the retreat from the latter place, the 53rd regiment was thrown into Nieuport. It suffered, in point of killed and wounded, more than any other regiment employed under Generals Grey and Dundas. In the course of his campaign Captain Ferguson received a severe wound in the knee. In 1794, he was promoted to a Majority in the 84th foot; and, upon a second battalion being raised, he was appointed its Lieut.-Colonel, and was employed in the reduction of the Cape of Good Hope. In 1800, he attained the rank of Colonel, and was employed in the expedition under Brigadier-Gen. the Hon. Thomas Maitland, destined to attack various posts on the French coast. In 1804, Colonel Ferguson was honoured with the rank of Brigadier-Gen., and the command of the York District, and at the conclusion of 1805, he was appointed to the command of the Highland brigade, consisting of the 71st, 72nd, and 93rd regiments, in the expedition under Major-General Sir David Baird, for the recapture of the Cape of Good Hope. On the 8th of February, 1806, a severe action took place, in which the enemy lost about 700 men; and a capitulation was signed on the 10th, by which the Cape Town and its dependencies were surrendered to Great Britain. Ill-health now obliged him to return to this country; and he continued unemployed in a military capacity till 1808, when, with the rank of Major-General, he was appointed to the command of a brigade under Sir Arthur Wellesley; who, in his despatches relating to the battles of Roleia and Vimiera, fully detailed the operations of the troops under Major-General Ferguson, and dwelt in animating language on the conduct of their commander. Major-General Ferguson returned with Sir Arthur Wellesley and other officers to England, after the convention of Cintra, and was examined by the Court of Inquiry appointed on that business. He was presented with an honorary medal by his Majesty for his distinguished conduct, and included in a vote of thanks, which the Houses of Parliament bestowed upon the gallant officers engaged at Roleia and Vimiera. On the 25th of January, 1809, he was appointed Colonel of the Sicilian Regiment, and in the same year was nominated to a command in the army under Sir David Baird; but he did not arrive at Corunna until the British troops quitted that place, and he consequently returned to this country. In the following year he was appointed second in command at Cadiz, which distinguished situation he held for a few months, but the return of his liver complaint rendered it necessary for him to resign his command and repair to England. On the 4th of June, 1813, he received the rank of Lieutenant-General, and in 1814 he was appointed second in command of the troops in Holland. He had the honour of wearing a medal for the battles of Roleia and Vimiera; was nominated a K.C.B. at the enlargement of the order in 1815, and subsequently a Grand Cross. He was appointed to the command of the 79th foot, 24th of March, 1828; and attained the full rank of General, 22nd of July, 1830. General Ferguson was elected in 1806 a Member of Parliament for Kirkaldy, and re-elected in 1807, 1812, 1818, 1820, and 1826. In 1830, he was elected for Nottingham, together with the present Lord Denman; and in 1832 he was re-chosen at the head of the poll, together with Lord Duncannon; as he was again in 1837 with Sir J. C. Hobhouse.

11. At Edinburgh, Mrs. Ronaldson Macdonell, senior, of Glengarry and Clanranald.

12. At Hazlewood Hall, aged 89, the Right Hon. Mary dowager Lady Stourton. She was the second daughter and coheiress of Marmaduke fifth Lord Langdale, which title became extinct on his death in 1777; and was married in 1775 to Charles Philip Lord Stourton, who died 1816, by whom her ladyship had issue a numerous family.

13. In Wimpole-street, aged 77, Nicolson Calvert, esq., of Hunsdon-house, Hertfordshire, formerly M.P. for that county. He was born on the 15th of May, 1764, the eldest son of Felix Calvert, esq., the eminent brewer, who died in 1802, by Elizabeth, eldest

daughter of Sir Robert Ladbroke. Mr. Nicolson Calvert was returned to Parliament in 1802 as one of the Members for the town of Hertford; he was re-chosen in 1806, and at all subsequent elections until that of 1826, when he was elected for the county, in the room of the present Lord Melbourne; and he was re-chosen at subsequent elections until 1835, when he retired. From the commencement of his parliamentary career he supported Whig principles and Parliamentary Reform.

15. At Edinburgh, Dr. James Browne, several years Editor of the *Caledonian Mercury*, and extensive contributor to the *Encyclopædia Britannica*, in the departments of Ancient History, Grammar, and Geography, and an acute investigator of Egyptian history and hieroglyphics.

16. At the house of his elder daughter, Mrs. Greville, Milton-street, Dorset-square, in his 70th year, John Pearson, esq., of Tettenhall, Staffordshire, late Advocate-General of Bengal. Mr. John Pearson received his school education, first, under the Rev. Robert Dean, of Shiffnall, Shropshire; secondly, under the Rev. Mr. Lawson, head-master of Wolverhampton Free Grammar School. From Wolverhampton he removed to Christ Church, Oxford, and during his terms was entered at Lincoln's Inn, where he afterwards resided, and in due course was called to the bar. After pursuing a brilliant, successful, but short course of advocacy, in the Court of King's Bench; distinguishing himself by the enduring celebrity of his electrifying defence of Sir Charles Wolseley, bart., and by his eloquent appeal, in mitigation of pains and penalties, in the case of the aged Major Cartwright, he obtained the important and honourable legal dignity of Advocate-General of Bengal, which important office he filled with such ability, as to win the esteem alike of the Indian Government, and of the natives of that Presidency. To this responsible office he was appointed by a unanimous vote of the Board of East India Directors; and sailed with his family for Calcutta, in April 1824. Mr. Pearson returned to England in 1840, a sufferer from the effects of the Eastern climate, and an apoplectic attack speedily closed his career of utility.

— Frederick Reynolds, aged 77, author of upwards of a hundred dramatic works, many of which were very popular, especially his Pantomimes. Mr. Reynolds' works were not of a character likely to ensure perpetuity, being for the most part slight and not very probable farces, aimed at the modes and follies of the day, and, like them, very soon forgotten.

17. At Tweedmouth, aged 66, Mr. Wm. Wilson, father of the late John Mackay Wilson, author of "The Border Tales," &c.

— At Sand Hill, near Callington, aged 89, John Williams, esq., formerly of Scorrier House, near Redruth. To the talent and enterprise of this gentleman, his industry and perseverance, the mining interest of Cornwall is most largely indebted. For fifty years, or more, he stood deservedly at its head—the greatest adventurer, the ablest manager, the best practical engineer and mineralogist of his time.

20. General Thomas Gordon, who expired rather suddenly at his seat at Cairness, Aberdeenshire. The General had chiefly resided during the last twenty years in Greece, having proceeded there almost immediately after the breaking out of the Greek revolution in 1821. The General derived his military rank from the Greek government.

21. At Portobello, near Edinburgh, the Right Hon. Margaret Lady Amesbury, fourth and youngest daughter of the Hon. Charles Maitland Barclay (second son of the sixth Earl of Lauderdale), by his first wife, Isabel Barclay, heiress of Towie; was married first, in 1778, to Charles Ogilvy, esq.; secondly, in 1781, to Major Archibald Erskine, of Venlaw, co. Peebles, brother to Cardross, who died in 1804; and thirdly became, in 1822, the second wife of her cousin, Charles Dundas, esq., M.P. for Berkshire, who was created Baron of Amesbury, in May 1832, and died in the following month without male issue.

— At Alexandria, aged 34, Captain Willoughby Cotton, eldest son of Major-General Sir Willoughby Cotton, G.C.B.

22. At Mickleham Hall, aged 31, Henrietta Maria, wife of Lord Albert Conyngham, late M.P. for Canterbury. She was the fourth daughter of the late Lord Forester, by Lady Katharine Mary Manners, sister to the present Duke of Rutland; married to Lord Albert Conyngham in 1833.

— At the Mauritius, aged 67, the

Hon. Edward Alured Draper, esq., formerly a Lieutenant-Colonel in the army, and latterly a Treasurer and Paymaster-General of that colony. Colonel Draper was born at Werton, in Oxfordshire, on the 22nd of October, 1776. He was second cousin to the celebrated Sir William Draper. At an early age he was sent to Eton, where he became conspicuous for those attainments, for which in after-life he was remarkable. While yet at school he was appointed Page of Honour to King George the Third, and, during his attendance at Court, acquired the particular friendship of the Prince of Wales, the Duke of York, and the Duke of Cumberland. In 1792 he entered the army, a commission having been presented to him by his Majesty in the 3rd Regiment of Guards. In that corps he served with distinction for several years; proceeded afterwards to Egypt, and was present on the 21st of March, 1801, at the battle of Alexandria, under Sir Ralph Abercromby; upon which occasion he received his first promotion, together with a gold medal. Upon his return to England he was appointed to the staff of General Grinfield, and subsequently, when that officer went to the West Indies as Commander-in-Chief of the Windward Islands, accompanied him as Aid-de-camp and Military Secretary. He was present at the capture of St. Lucia, and brought home the despatch announcing that important event, upon which occasion he received the unusual promotion, for a Lieutenant and Captain in the Guards, of a brevet Majority in the army; and was moreover presented by the King with a gift of 500*l.* sterling. Shortly after his arrival in England, Colonel Draper, in defence of his friend, General Sir Thomas Picton, published an "Address to the British Public," in which he broadly taxed the commissioners that had been appointed to inquire into that officer's administration of the government of Trinidad, and into certain arbitrary and cruel acts imputed to him, with direct and wilful perjury in the report rendered by them of their investigation. For that pamphlet Mr. Sullivan, one of the commissioners so employed, filed a criminal information against Colonel Draper for libel. He was consequently tried; but never perhaps from any ordeal, did the character of a man come forth more pure and unsullied than did that of Colonel Draper upon this occasion. Among the witnesses who came forward to speak in his behalf, and to testify to his high sense of honour and delicacy, and to his possession of every qualification that bespeaks the gentleman, were their Royal Highnesses the Dukes of York, Cumberland, and Gloucester, the Duke of Bedford, Earl Grosvenor (now the Marquess of Westminster), and others of the first nobility of the land. He was, nevertheless, sentenced to three months' imprisonment, which he underwent in the King's Bench. No better proof, however, can be afforded of the estimation in which he was held in the highest quarter, than the fact that the first carriage which stopped at the gate of the King's Bench prison the day after his incarceration, was that of the Prince of Wales, from which his Royal Highness, accompanied by Sir Herbert Taylor, descended to pay him a visit of condolence. After his release from confinement, Colonel Draper proceeded with his regiment upon the expedition to Walcheren. Circumstances that did him honour, subsequently induced him to negociate the sale of his commission. In 1813, after having left the army, Colonel Draper received the appointment of Chief Secretary to Government at the Island of Bourbon, then a dependency of the British Crown. From that island, where, during the temporary suspension from office of the Governor, Colonel Keating, he virtually administered the affairs of the colony, he went over to Mauritius, and there, during a period of upwards of six-and-twenty years, he was employed in the civil service. He held in succession the important and responsible offices of Chief Commissary of Police, Acting Colonial Secretary, Acting Collector of Customs, Civil Engineer and Surveyor-General, Registrar of Slaves, Collector of Customs, Stipendiary Magistrate of Port Louis, and Treasurer and Paymaster-General of the colony. In all these various capacities he succeeded by his urbanity of manner, as well as by the strict, conscientious, and impartial discharge of his duties, in securing the affection and esteem of all those whose affairs brought them into contact with him. In 1832, Colonel Draper headed the party which refused to receive Mr. Jeremie as Chief Judge, and in consequence was summarily dismissed from his offices; but court-favour still be-

friended him, and he received an allowance of 500*l.* per annum, until a situation of sufficient importance became vacant at Mauritius, whither he was directed, at his earliest convenience, to return. Upon his second arrival in the colony, he held for a brief space of time the situation of joint Stipendiary Magistrate of Port Louis; and upon the death of Colonel Ferris, by virtue of the strong letters of recommendation which he had brought out with him from England, was named his successor in the Treasurership and Paymaster-Generalship of the colony, a post which he continued to hold up to the period of his decease.

— At his residence at Plymouth, at an advanced age, after a glorious career of upwards of sixty years in the service of his country, Admiral Sir Laurence William Halsted, G.C.B. He was son of the late Captain Halsted, R.N. His commission of Lieutenant was dated December 8, 1781; and when Lieutenant in the Canada, he first distinguished himself in Lord Rodney's action with the Count de Grasse, in 1782. He was made Commander in November 1790, posted in May following, and in 1791 was appointed to the Atlantic sloop in the East Indies. While commanding the Phœnix in 1796, he captured, after a gallant action, the Dutch frigate Argo, of thirty-six guns, and was favourably mentioned in Lord Duncan's despatches to the Admiralty, for his gallantry on the occasion. In 1800 he was actively employed in the blockade of Cadiz, under the command of Sir Richard Bickerton, and during his service in the Mediterranean commanded a squadron of frigates, and succeeded in capturing *La Canere*, a French frigate of 40 guns, and the *Success* of 28 guns, and completely destroyed *La Bravoure*, a French frigate of 46 guns. He was subsequently, in 1807, selected by Sir C. Cotton, then Commander-in-Chief of the Lisbon station, to serve as Captain of the Fleet under his orders. The deceased Admiral was also a participator in the glory of Sir Richard Strachan's victory, and for his eminent services on that occasion was rewarded with a medal. He was in the receipt of a good-service pension of 300*l.* a year, being the senior flag-officer enjoying that liberal allowance, and had an honorary reward from the Patriotic fund. His commission of Rear-Admiral, was dated July 31, 1810; Vice-Admiral, June 4, 1814; and Admiral, July 22, 1830. He was made a K.C.B. on the enlargement of the order January 5, 1815; and a G.C.B. February 24, 1837.

23. At Sierra Leone, Sir John Jeremie, Governor of that colony.

24. At the palace, Worcester, in his 67th year, the Right Rev. Robert James Carr, D.D., Lord Bishop of Worcester. Dr. Carr was the son of the Rev. Colston Carr, originally a schoolmaster at Twickenham, who was presented to the vicarage of Ealing, in Middlesex, by his friend, Bishop Porteus. The Bishop was educated at Worcester College, Oxford, where he graduated M.A. 1806, B. and D.D. 1820. He was presented by H. C. Campion, esq., in 1804, to the vicarage of Brighton, where he attracted the favourable notice of the Prince of Wales, and, during a residence of thirty years, was very popular for his affability and benevolence, and the eloquence of his sermons. In 1820 he was appointed Dean of Hereford; and in 1824 he was consecrated Bishop of Chichester, with which see he held a canonry of St. Paul's. He was also a Clerk of the Closet to King George the Fourth, and attended his Majesty in his last illness. In 1831 he was translated to the see of Worcester.

25. At Sydney, Australia, Dr. M'Lean, late of the 42nd Highlanders, and surgeon to Sir John Moore, at Corunna.

— At Leamington Spa, aged 67, the Right Hon. Somerset Lowry Corry, second Earl of Belmore (1797), Viscount Belmore (1789), and Baron Belmore, of Castle Coole, co. Fermanagh (1781), a Representative Peer of Ireland, and Custos Rotulorum of the county of Tyrone. He succeeded his father in the peerage, Feb. 2, 1802; and was elected a Representative Peer of Ireland in 1819. His Lordship was for some years Governor of Jamaica, in which office he succeeded the Duke of Manchester about the year 1828.

27. On board the Tigris, on his passage from India, aged 25, Lord James Beresford, 10th Hussars. He committed suicide in a fit of temporary insanity. He was the youngest brother of the Marquess of Waterford.

28. At Calcutta, Sir A. Mackenzie, bart., of Tarbel. He was born in 1802, and was served heir to Sir Kenneth Mackenzie, third baronet, in 1826, having descended from the second son of the first baronet.

— At Chigwell-row, Luke Graves Hansard, esq., of Bedford-square, one of the Printers of the House of Commons. He was the third son of the late Luke Hansard, esq., who may be considered the founder of Parliamentary printing. Mr. Hansard was highly esteemed by those with whom his duties brought him in contact, for his high character and great services.

— In Gower-street, aged 67, Thomas Crosby Treslove, one of Her Majesty's Counsel, and a Bencher of Lincoln's Inn. He was called to the bar May 12, 1803, and was formerly Recorder of Queenborough.

29. At his residence, Kensington-place, Bath, in his 90th year, Folliott Sandford, esq., head of a very ancient Salopian family. In 1781 he married Isabella Deuchars, a lady of Scottish extraction, who predeceased him, leaving issue.

Lately. Suddenly in Mansfield-street, aged 28, in prematurely giving birth to a son, still-born, Augusta, wife of the Hon. Craven F. Berkeley, M.P.

— At Brompton, aged 48, Mr. James A. O'Connor, landscape painter. He was born in Dublin, where his father was an engraver, to which profession the son was bred, but left it for the easel.

— Aged 73, the Princess Charlotte of Rohan Rochefort, sister to the Prince of Rohan Rochefort and Montauban. Belonging by birth to one of the most ancient noble families of France, she was, when young, married to the unfortunate Duke d'Enghien; but this union, though the result of a mutual affection, did not obtain the sanction of the Duke de Bourbon, and consequently the Princess never publicly bore the name of her illustrious husband.

— John Thomson, esq., Professor of Music in the University of Edinburgh, and eldest son of the Rev. Dr. A. Thomson, late Minister of St. George's church, Edinburgh.

— In Syria, Colonel Bridgman, commanding the British detachment at Beyrout.

— At St. Petersburgh, Admiral Crown, of the Russian Imperial Service. Sir Robert Crown was a native of Scotland, and served in the British Navy during the American War. At its termination he, with several other officers, entered the service of the Empress Catherine. She and each succeeding monarch distinguished the Admiral by many acts of kindness, and bestowed upon him innumerable honours—seven Orders of Knighthood, a gold sword for his bravery, &c. &c.

MAY.

1. At his residence in Twickenham Meadows, aged 85, the Rev. George Owen Cambridge, a Prebendary of Ely, and Rector of Elme, Cambridgeshire; formerly Archdeacon of Middlesex. He was the son of Richard Owen Cambridge, esq., well known in the literary world. The Archdeacon was a member of Merton College, Oxford, where he took the degree of M.A. in 1781. He was collated to the rectory of Elme in 1793 by Dr. Yorke, then Bishop of Ely; by the same prelate to a prebendall stall at Ely in 1795; and became Archdeacon of Middlesex in 1806.

— At Southampton, General Sir Rufane Shaw Donkin, K.C.B. and G.C.H., Surveyor-general of the Ordnance, Col. of the 11th Foot, and M.P. for Sandwich. He was the only son of the late gallant General Donkin. He was appointed the 21st of March, 1778, Ensign in the 44th; Lieutenant the 9th September, 1779; and Captain the 31st May, 1793. In November of the latter year he went to the West Indies, under Sir Charles Grey, was at the taking of Martinique, Guadaloupe, and St. Lucie, the siege of Fort Bourbon, and the French attack on, and loss of Guadaloupe in 1794. During these events he served a part of the period as Brigade-Major, and a few months in 1795 as Aide-de-Camp to General Musgrave, then on the Home Staff; and on the 1st of September of the latter year, he was appointed Major in the 44th. He accompanied Sir Ralph Abercrombie to the West Indies, and was at the taking of St. Lucie in 1796. In 1798 he was in the expedition to Ostend, and at the action on the Sandhills he was wounded and taken prisoner. On the 24th May 1798, he succeeded to a Lieut.-Colonelcy in the 11th foot, with which he again went to the West Indies in 1799; returned in 1800, and went back a fourth time in 1801, where he remained three years. In May, 1805, he was promoted to the situation of Permanent Assistant Quarter-Master General, and employed on the expedition to, and siege of, Copenhagen. The 24th April, 1808, he

was appointed Colonel by brevet, and in July went to Portugal as Deputy Quarter-Master-General, where he remained in that situation till April, 1809. At the passage of the Douro, Colonel Donkin commanded a brigade, and also at the attack of the rear-guard of the enemy at Salamonde, at the battle of Talavera, (for which he received a medal), and in the retreat on Portugal in December, 1809. Soon after which event, Colonel Donkin was appointed Quarter-Master-General in the Mediterranean, where he served for some time, and from whence he proceeded to Bengal, and served as second in command on the staff. On the 4th June, of 1811, he received the rank of Major-General, was advanced to the rank of Lieut.-General in 1821, and to the full rank of General in 1838. On the 20th April, 1825, he was appointed to the Colonelcy of the 80th regiment, from which he was removed to the 11th regiment. He was nominated a K.C.B. 14th October, 1818. Sir Rufane Donkin held for two years the government of the Cape of Good Hope. He was returned to Parliament for Berwick in 1832 and 1835, on each occasion after a close contest. In April, 1835, he was appointed to the office of Surveyor-General of the Ordnance, which he held until his death. At the general election of 1837 he was defeated at Berwick; and he subsequently came in on a vacancy for Sandwich. He was married first, in 1815, to Elizabeth Frances, eldest daughter of the late very rev. George Markham, Dean of York, and grandaughter of the Archbishop; and secondly, in 1832, to Lady Anna Maria Elliot, eldest daughter of the late, and sister of the present, Earl of Minto.

3. At Venice, aged 75, Bartolomeo Gamba, author of the "Testi di Lingua," a most learned and elegant writer, and sub-librarian of the library of St. Mark. While he was delivering a lecture at the Athenæum, with his usual energy, he was suddenly taken ill, sank down, and expired.

5. In Devonshire-place, Isabella, second daughter of the late Hon. A. F. Tytler, Lord Woodhouselee, Senator of the College of Justice, and one of the Lords Commissioners of Justiciary in Scotland.

6. At Stanford, aged 92, Edward Brown, esq. He is said to have died worth more than half a million of property. Amongst the legacies is the munificent sum of 11,000*l.* to the Stamford and Rutland Infirmary; 5,000*l.* for the specific purpose of building a fever ward; and 6,000*l.* for the support of it for ever.

— At Northallerton, aged 51, Lieut.-Colonel Henry Booth, K.H., 43rd Light Infantry. Colonel Booth entered the army in 1806 as ensign in the 43rd, and continued in that regiment through his life, being present with it in the actions at Vimiera and Corunna, the Coa, Busaco, Salamanca, Vittoria, and Vera.

7. At Bodiam, Sussex, aged 56, the Rev. Sir John Godfrey Thomas, the sixth Bart. (of Wenvoe Castle, county of Glamorgan, 1694), Vicar of Wartling and Bodiam.

— Aged 30, Sir George Frederick Johnstone, seventh Baronet of Westerhall, (1700). He was the only son of Sir John Lowther Johnstone, Bart., and succeeded to the title when scarcely a year old, by the demise of his father. Sir George entered as a gentleman commoner of Christ Church, Oxford, in 1829. On attaining his majority he came into possession of a very large fortune which had accumulated in the interval from his father's death. From 1832 to 1834 he was member of parliament for Weymouth (as his father had been before him) in conjunction with the philanthropic Buxton. On the 24th of October, 1840, he married Lady Louisa Elizabeth Frederica Craven, only daughter of the late, and sister of the present, Earl Craven. Sir Frederick was thrown from his horse while riding from his hunting establishment to Westerhall, and was killed on the spot.

— At his house in Soho-square, in his 56th year, Thomas Barnes, esq., M.A., principal Editor of the "Times" newspaper. Mr. Barnes was educated at Christ's Hospital; and was afterwards a member of Pembroke College, Cambridge, where he took his B.A. degree in 1808, when he was first Senior Optime; M.A. 1811. Mr. Barnes succeeded Dr. Stoddart in the editorship of the "Times;" and by his extraordinary skill, discrimination, and powers of writing, raised that journal to its present power. He was unquestionably the most accomplished and powerful political writer of the day, and particularly excelled in the portraiture of public men.

10. At Douglas, Isle of Man, Lieut.-Colonel Anthony Lyster, half-pay, unattached. He served upwards of twenty years in the 23rd Lancers, being part of the force which served under Sir Ralph Abercromby in Egypt. He was present at all their victories, and distinguished himself in the battle of the 21st March, for which he received a gold medal.

13. At Clare House, Hampstead, aged 40, James Hope, esq., M.D., F.R.S. of Lower Seymour-street, one of the Physicians to St. George's Hospital.

14. At Leipsic, aged 104, Galvini, the musical professor. He was a son of the celebrated singer Galvini, who died at Rome, in 1825, having reached the patriarchal age of 138.

15. At his official residence in Regent-street, aged 70, John Thomas Barber Beaumont, esq., F.S.A., F.G.S., founder and many years managing director of the County Fire Office and Provident Life Office, and a magistrate for Middlesex. The paternal name of this gentleman was Barber, and he was born on the 21st Dec. 1774, in the parish of St. Marylebone. In his youth he manifested a strong desire to obtain eminence as a painter. In 1791, he was admitted a student of the Royal Academy, and rose to such eminence, that nearly every member of the Royal Family sat to him for their portraits, and the Duke of Kent, and afterwards the Duke of York, conferred on him the honour of appointing him their miniature painter. He was a customary exhibitor at the Royal Academy from 1794 to 1806. In 1802, Mr. Barber made his first appearance as an author, when he published an account of a Tour in South Wales and Monmouthshire, to which his skill in drawing enabled him to add many appropriate and elegant embellishments. This book went through two editions. In the spring of 1806, he was successful in establishing what he denominated the Provident Institution, or what is now better known under the title of Saving Banks. This was the first of the kind, and has since given birth to numerous similar establishments in different parts of the kingdom, by which the condition of the industrious class has been considerably improved, and by which, perhaps, more so than by any other principle, habits of industry have been cherished, a spirit of frugality diffused, and the virtue and happiness of the community consequently augmented: on this subject several essays from the pen of Mr. B. were published. The County Fire Office and Provident Life Insurance Office was established under his direction, and which have ever since been conducted by Mr. Beaumont, as the managing director. About twenty years since, Mr. Barber took the additional name of Beaumont, and about the same time he was appointed a magistrate for Middlesex and Westminster. The deceased in his lifetime commenced a Philosophical Institution; and, by a codicil, dated May 28, 1840, he directs the munificent sum of 13,000*l.* to be invested in the names of Robert Fellowes, LL.D., J. Elliotson, M.D., F.R.S., George Charles Christian Hennell, esq., Alexander Henderson, M.D., F.R.S., Henry Churchill, esq., and Henry B. Kerr, esq. (which legacy is bequeathed free of duty) for the following purposes: To establish a Philosophical Institution in Beaumont-square, Mile-end, "for the mental and moral improvement of the inhabitants of the said square, and the surrounding neighbourhood, in their intervals of business, and free from the baneful excitement of intoxicating liquors, and also the cultivation of the general principles of practical theology, and the wisdom of God, leaving to the different churches and sects the cultivation and pursuit of their peculiar tenets; and also for the purpose of affording them intellectual improvement and rational recreation and amusement."

— At the house of Dr. Merriman, in Brook-street, Grosvenor-square, Thomas Merriman, esq., of Marlborough, banker.

16. At his residence, Devonshire-place House, Regent's Park, aged 65, Henry Moreton Willis Dyer, esq., senior Magistrate at the Marlborough-street police court. Mr. Dyer was the son and heir of Mark Dyer, of the Temple, and of Alphington, co. Devon, esq., by Anne Arabella, daughter and heiress of the Hon. Charles Moreton, brother to the second Lord Ducie. Mr. Dyer was called to the bar by the Hon. Society of the Inner Temple, June 7, 1799; and was formerly Judge of the Vice-Admiralty Court at Bermuda, where he acquired the bulk of his fortune. He was appointed a Police Magistrate in 1817.

17. Aged 87, the Hon. Caroline Curzon, eldest daughter of the first, and sister of the late, Lord Scarsdale.

— Aged 56, Robert Hall, esq., of

Melton Hall, near Uskane. He had recently purchased his estate, and was shot by an assassin, in consequence of having given some tenants notice to quit.

19. At Bonn, aged 45, Ernest von Schiller, a judge in the Prussian Court of Appeal, and the younger of the two sons of the great German poet.

20. At Greenbank, Liverpool, at the house of W. Rathbone, esq., in his 67th year, the Rev. Joseph Blanco White, B.D. and M.A., the author of Doblado's Letters, &c. Mr. White was descended of a Roman Catholic family, but his doubts as to the efficacy of that belief terminated in scepticism; in his more maturer years, however, he subscribed to the articles of the Church of England, and published many excellent religious treatises but in 1835 his friends were grieved to find he had deserted the Church: a change which is recorded by "A Discourse occasioned by the Rev. J. Blanco White's profession of Unitarian Christianity."

22. At Julians, Hertfordshire, aged 87, Adolphus Meetkerke, esq. This gentleman was the lineal descendant and representative of Sir Adolphus Meetkerke, President of Flanders, who took refuge in this country, during the reign of Queen Elizabeth, from the religious persecutions at home.

23. In Arlington-street, in his 41st year, the Hon. Henry Richard Molyneux, Lieut.-Colonel of the 60th rifles. Third son of William Philip second and late Earl of Sefton.

26. At Versailles, General Francis Fuller, Colonel of the 2nd West India regiment. He was appointed ensign and lieutenant in the 36th foot in 1778; and captain in the 101st foot in 1781. In the latter year he embarked for the East Indies, and served there during the years 1782, 3, and 4. At the battle of Cuddalore, in 1783, he commanded the 101st, and in 1785 returned to England, and obtained a majority in his regiment. In 1794 he was appointed Lieut.-Colonel in the 59th foot. He served on the Continent in 1794 and 1795, and covered the retreat of the division of the army before Nimeguen. At the latter end of 1795, he embarked for the West Indies, where he continued to serve till 1802. At the attack of the enemy's position on the Vigie at St. Vincent's, he commanded the 59th; he covered the retreat of the army from Mount Young; and at the attack of the enemy's redoubts on the Vigie, he commanded a column. The 1st of January, 1798, he received the rank of Colonel. He commanded a brigade at the capture of the islands of St. Bartholomew, St. Martin's, St. Thomas's, and St. Croix, in 1801. The 1st of January, 1805, he was appointed Major-General, and in 1806 embarked for the East Indies, where he commanded a division of the field army under the presidency of Fort William. In 1811, he received the rank of Lieutenant-General. He subsequently, for some years, commanded the forces in Jamaica. In 1825 he attained the full rank of General; and on the 23rd January, 1828, he was appointed to the Colonelcy of the 2nd West India regiment.

27. At Tonbridge Wells, aged 66, the Lady Frances Somerset, second daughter, of Henry fifth Duke of Beaufort.

— At Ham, aged 82, Lady Home, widow of Sir Everard Home, Bart., Sergeant Surgeon to King George the Third. She was the daughter and coh. of the Rev. James Tunstall, D.D.

— At Portsmouth, Rear-Admiral Samuel Mottley. He retired as Rear-Admiral on half-pay in 1837, after a service of, within a few days, 70 years, having entered the navy the 15th June, 1771.

28. At the Admiralty House, Clarence Hill, Bermuda, aged 65, Vice-Admiral Sir Thomas Harvey, K.C.B., Commander-in-chief in the West Indies and North America. This officer was the fourth son of the late Sir Henry Harvey, K.B., who commanded the *Ramilies* of 74 guns, in the glorious action of the 1st of June, 1794; who captured, when Commander-in-chief in the West Indies, in conjunction with Sir Ralph Abercromby, the Spanish island of Trinidad in February, 1797; and who died an Admiral of the White in December 28, 1810. He served as Master's mate on board the *Ramilies* in Lord Howe's action; and Lieutenant of the *Prince of Wales*, 98, bearing the flag of his father, on the 22nd June, 1795, in the fleet under Lord Bridport, when three sail of the line were captured. In 1796 he commanded in succession the *Lacedemonian* and *Pelican* sloops of war. The latter formed part of the squadron at the reduction of the island of Trinidad; immediately after which he was promoted to the rank of

post captain, into the *Prince of Wales*, 98, bearing his father's flag, and in that ship assisted at the attack upon Porto Rico in the ensuing month of April. His post commission bears date March 27th, 1797. Captain Harvey's subsequent appointments were to the *Concord*, *Lapwing*, and *Unité* frigates; the former he commanded for a very short period. In the *Lapwing* he intercepted several of the enemy's privateers and letters of marque, and accompanied Lord Hugh Seymour in the expedition against the Dutch colony of Surinam, which surrendered to the British arms Aug. 20th, 1799. The *Unité* was attached to the armament under Rear-Admiral Duckworth, which took possession of the Danish and Swedish West-India islands in March 1801. In the celebrated passage of the Dardanelles, by Sir John Duckworth, Capt. Harvey commanded the *Standard*, which ship bore a conspicuous part; and in passing the castles of Sestos and Abydos, received a stone shot, six feet six inches in circumference, and weighing 800 lbs.; it entered the lower deck, and having set fire to the salt-boxes containing the powder for immediate use, caused an explosion which wounded many of her men. Subsequently to this event, Capt. Harvey accompanied Sir John Duckworth to the coast of Egypt, and arrived there two or three days after the surrender of Alexandria to the British arms. Early in 1808 he was stationed in the Adriatic, where he took several prizes, and assisted at the capture of the *Friedland*, an Italian brig of war mounting 16 long twelve-pounders, and several other armed vessels. Towards the latter end of the same year, he escorted a fleet of merchantmen to England. Captain Harvey's next appointment was to the *Majestic*, 74 guns; and during the ensuing summer he was stationed in the *Belt*, to protect the valuable convoys going to and sailing from the Baltic. He was nominated a C.B. June 4th, 1815; obtained a Colonelcy of Royal Marines, April 2nd, 1821; and became a Rear-Admiral the 19th of July in the same year, and a K.C.B. in April 1833. On the death of Vice-Admiral Sir Charles Paget, in January 1839, he was appointed to succeed that officer as Commander-in-chief on the West-India and North American stations. He married March the 28th, 1805, Sarah, youngest daughter of his uncle the gallant Captain John Harvey, who was mortally wounded in the glorious action of the 1st of June, 1794.

31. At Sudbrooke Park, Petersham, aged 57, the Right Hon. Sir Robert John Wilmot Horton, the second baronet, of Ormaston, co. Derby (1772), G.C.H., a Privy Councillor, and M.A.; formerly Governor of Ceylon. Sir Robert was born in 1784, the eldest son of Sir Robert Wilmot, of Ormaston, co. Derby, the first baronet, by Juliana Elizabeth, second daughter of Admiral the Hon. John Byron. He became a Gentleman Commoner of Christ Church, Oxford, Jan. 27, 1803, and graduated B.A. 1806, M.A. 1815. In 1806 he married Anne Beatrix, eldest daughter and coheir of Eusebius Horton, of Catton, co. Derby, esq., and on the death of his father-in-law in 1823 he assumed, by royal sign manual, the additional name of Horton, in compliance with the directions of that gentleman's will. Mr. R. Wilmot was returned to Parliament for Newcastle-under-Lyne 1818; he was re-chosen in 1820, but in the same year vacated his seat, on being appointed Governor of Ceylon. In 1826 he was re-elected to Parliament, for Newcastle-under-Lyne, without a contest. He was sworn a Privy Councillor, May 23, 1827, and became Under Secretary of State for the Colonies; but he retired from that office about the end of the same year, in consequence, as was understood, of some difference of opinion with Mr. Charles Grant (Lord Glenelg). He succeeded his father as a baronet, July 23, 1834. Sir Wilmot Horton was the author of several political pamphlets. As a statesman and man of highly cultivated mind, of taste and of letters, few of his contemporaries could compare with Sir Robert Horton. His government of Ceylon will be a lasting monument to his political worth and ability; and his many productions on the most important questions which occupied the age in which he lived—education, emigration, colonial policy, and the improvement of society in every practicable way—will long be referred to as containing able and clear expositions of these important subjects. In private life a more amiable, intelligent, and estimable gentleman never existed. By the lady already mentioned, who survives him, Sir R. J. Wilmot Horton had issue four sons and three daughters.

DEATHS.—MAY.

Lately. At Portsmouth, retired Commander Edward Southcott. He was Master of the *Hermione* when the crew mutinied, and murdered the captain. His services being wanted, his life was spared: he was made a Lieutenant, and retained as a witness on the courts-martial held on the mutineers as they were captured.

— Suddenly, at his little fishmonger's shop, in Church-passage, Greenwich, that venerable tar, Nelson's coxswain, Sykes. He was upwards of eighty years of age, and was with Lord Nelson during the whole of the time of his glorious deeds. He saved the life of that illustrious hero in the bay of Cadiz, when his barge containing twelve men was attacked by a Spanish gun-boat manned by twenty-six, by twice parrying the blows that were aimed at him, and at last actually interposed his own head to receive a sabre-cut which he could not avert by any other means, from which he received a dangerous wound. The gun-boat was captured and eighteen of her men killed, and the rest wounded. He also greatly distinguished himself at the battle of Trafalgar.

— At Beverley, Commander George Keener, R.N. He served with Admiral Duncan, on board the *Bedford*, in the battle of Camperdown.

— Lieut.-Colonel Snodgrass, Deputy Quartermaster-General on the Staff in Nova Scotia. This officer commenced his military career as Ensign in the 52nd Light Infantry in 1813. He attained a lieutenancy in the same distinguished corps the following year, and was engaged with it at the Pyrenees, Vera, Nivelle, Nive, Orthes, Tarbes, Toulouse, and finally at Waterloo. The reductions consequent on the peace placed him on half-pay in 1818; but in 1821 he was appointed Adjutant to the 38th Foot, with which he continued to serve in the East Indies till the commencement of the Burmese campaign, when he was appointed Aide-de-Camp and Military Secretary to Sir Archibald Campbell, commanding the forces on that expedition. While employed in that capacity he was promoted to a Company in the 91st Regiment on the 22nd Dec. 1825. On the 14th of Nov. 1826, he was permitted to purchase an unattached Majority; and on the 25th Dec. of the same year, he received the brevet of Lieut.-Colonel, in consequence of having been the bearer of despatches announcing the successful termination of the Burmese campaign, in which he had borne a conspicuous part. In 1830, he exchanged as Major into the 94th Regiment, whence he was promoted to an unattached Lieut.-Colonelcy in 1833, and appointed Secretary to the Board of General Officers employed in arranging the new system of field exercise for the British army. Lieut.-Colonel Snodgrass proceeded to New Brunswick as Aide-de-Camp and Military Secretary to Sir Archibald Campbell, from whose staff he was in the following year promoted to the appointment which he held at his decease.

— M. Niemcewicz. The foreign journals announce the death of the celebrated Polish poet and patriot, Julien Ursin Niemcewicz, at a very advanced age. From his youth he was distinguished for his progress in literature. He was one of the most eminent nuncios of the great Constituent Diet of 1791. Aid-de-Camp of Kosciusko, wounded and captured by his side, he suffered a long confinement in the dungeons of St. Petersburgh. Having been set at liberty at the accession of the Emperor Paul, he emigrated to America with Kosciusko, where Washington, the hero of the American struggle, granted those exiles an honourable hospitality. Though a cultivator and American citizen, he hastened in 1807 to serve his native country, for whom a new era had commenced, and whose vicissitudes from that period he constantly shared. As secretary and member of Senate, member of the Council of Public Instruction, President of the Society of the Friends of the Sciences, and latterly, while employed on a mission to England in 1831, he was incessantly devoted to his country. His literary works in prose and verse were a continual echo of the events which occurred in Poland, and in which he had performed so distinguished a part.

JUNE.

1. At Gibraltar, on his return from Egypt, aged 56, Sir David Wilkie, Principal Painter in ordinary to her Majesty, and Limner for Scotland. He was a son of the Rev. David Wilkie, pastor of Cults, near Cupar, co. Fife, where he was born, in 1785. At 15 years of age he entered the Trustees' Academy at Edinburgh, then under the direction of

Mr. John-Graham, where he remained four years, and had, during part of that period, for his fellow-students William Allan and John Burnet. In 1805 he came to London, and in the following year exhibited at the Royal Academy his "Village Politicians," (painted by order for Lord Mansfield) having in the meantime supported himself by the produce of some of his small pictures exposed in a window at Charing-cross. In 1807 he exhibited his "Blind Fiddler," now in the National Gallery, the excellence of which at once established his reputation. This was Wilkie's execution of an order from the late Sir G. Beaumont, for a picture to the value of *fifty pounds!* Wilkie's first lodging in London, was at 11, Norton-street, Portland Place; when he painted the "Blind Fiddler" his address was 10, Sol's-row, Hampstead. He thence removed to Kensington, and never left that neighbourhood. The year following he exhibited "The Card Players;" and in 1809, his "Cut Finger" and the "Rent-Day," bought by Lord Mulgrave for 300 guineas. In the month of November of the latter year he was elected to the justly merited distinction of an Associate of the Royal Academy. In Feb. 1811, he was made a Royal Academician, and gave for his diploma picture, "Boys Digging for Rats." From this time, until 1825, he regularly produced and as regularly sold, at increasing prices, year by year, his well-known and most celebrated works. Space will only admit of a partial enumeration of them. In 1811, "A Gamekeeper," and "A Humorous Scene;" in 1812, "Blind Man's Buff," a sketch, and "The Village Festival," sold to Mr. Angerstein for 900 guineas, and now in the National Gallery; in 1813, the finished picture of "Blind Man's Buff;" in 1814, "The Letter of Introduction," (sold to Mr. Dobree of Walthamstow for 200 guineas) and "Duncan Gray;" (afterwards sold at Lord C. Townshend's sale, for 450 guineas, to Mr. Sheepshanks) in 1815, "Distraining for Rent;" in 1816, "The Rabbit on the Wall;" in 1817, "The Breakfast;" in 1818, "The Errand Boy," and the "Abbotsford Family," now at Huntly Burn; in 1819, "The Penny Wedding," a commission from the Prince Regent; in 1820, "The Reading of the Will," a commission, for 450 guineas, from the King of Bavaria; in 1821, "Guess my Name," and "Newsmongers"; in 1822, "Chelsea Pensioners reading the Gazette of the Battle of Waterloo," painted for the Duke of Wellington at 1,200*l.*; in 1823, "The Parish Beadle;" in 1824, "Smugglers offering Run Goods for Sale or Concealment," and "The Cottage Toilet;" and in 1825, "The Highland Family." His picture of "Distraining for Rent" was bought by the Governors of the British Institution for 600 guineas, was sold to Raimbach for engraving at the same sum, and, when engraved, was bought from Raimbach by Mr. Wells, of Redleaf, for 700 guineas. About this time his health became seriously affected, and a total cessation of labour was advised by the medical attendants, and accordingly he departed on a tour to Rome, and a visit to Madrid. He remained absent from England until 1828, during which time the accounts received were frequently of a very unsatisfactory description; and his friends were shocked at his pale and attenuated appearance on his return. "Notwithstanding the injunctions of his physicians, he made a vast quantity of studies, and nearly completed some pictures, both in Italy and Spain; and soon after his return astounded the admirers of his talent by a total change in the style of his execution, the choice of his subjects, and the principle of his *chiaro-'scuro*. In his earlier paintings he adopted the principle of the Flemish and Dutch schools. The mingled beauties of Teniers, Wouvermans, and Ostade were present without the grossness of their subjects or the coarseness of their incidents. On arriving amidst the accumulated treasures of the Spanish school at Madrid, he was struck with admiration at the powerful effects its artists had produced. A revolution took place in his ideas, and he determined on the hazardous experiment of resting his future fame on a style utterly opposed to that in which he then stood unrivalled amidst European artists. Wilkie became in this case no more a copyist of the Spanish than he had formerly been of the Flemish school. Instead of a general breadth of light, he adopted powerful contrasts: in lieu of rendering his darks valuable by the great prevalence of light, he made his brilliancy of light to depend upon the predominance of the dark. It is true that in the first pictures he exhibited after his continental travel he too freely

availed himself of an opaque blackness never to be found in the works of Velasquez or Murillo; but he soon recovered the lucidness and transparency of his colouring, although he never afterwards abandoned the strength of his contrasts, or the greater freedom of his touch. Other artists have once in their lives wholly changed their style of painting, as for instance, Titian, from the staid severity of the Roman school to the voluptuous splendour of the Venetian; but no case occurs to us of a total change, at the same time, of a class of subjects, and a system of colouring." On the death of Sir Thomas Lawrence, which took place on the 7th of January, 1830, Wilkie was, through the judiciously applied influence of the late Sir W. Knighton, and the justly exerted patronage of George the 4th, appointed Principal Painter in ordinary to his Majesty, and Serjeant Painter to the King. At this time he was busily occupied upon his portrait of the King in the Highland costume, and on his picture of the Reception of His Majesty at Holyrood-house. On the accession of William the 4th, in whose reign (1836) he was knighted, the royal favour was continued; but the painter had not the good fortune to command so large a share of admiration of his style upon the accession of Queen Victoria. The principal pictures painted by Sir David Wilkie in his second style are as follow:—"The Spanish Posada," "The Maid of Saragossa," "The Guerilla's Departure," "The Guerilla's Return," "John Knox Preaching," exhibited in 1832; "Spanish Monks," exhibited in 1833; in 1834, "Not at Home," and "Spanish Mother and Child;" in 1835, "Columbus," (now at Mr. Holford's, in the Regent's Park—the price 1,100 guineas); in 1836, "Peep-o-day-boys' Cabin;" in 1837, "Mary Queen of Scots escaping from Lochleven Castle," "The Cottar's Saturday Night," and "The Empress Josephine and the Fortune-teller;" in 1838, "Queen Victoria's First Council;" in 1839, "The Discovery of the Body of Tippoo Saib," (a commission from the widow of Sir David Baird, at 1,500*l.*), and "Grace before Meat;" in 1840, "Benvenuto Cellini and the Pope," and "The Irish Whiskey Still." Besides these, he has left an unfinished picture of "John Knox administering the Sacrament," and "Nelson Sealing a Letter." Among his portraits, Lady Lyndhurst, at Apsley House, and the Duke of Sussex, as Earl of Inverness, exhibited in 1833, are admirable. The fame which the artist acquired by the picture of the Preaching of John Knox, which for the quality of its execution and the management of the *chiaro'scuro*, is in truth a magnificent work, reminds us of a circumstance relating to its purchase. The commission for it was given to Sir David by the late Earl of Liverpool, at a price fixed by the painter himself; but, the Earl becoming seriously indisposed before the completion of the work, Sir Robert Peel proposed to become the purchaser, generously adding a considerable sum to that originally stipulated for it, the artist having discovered that the labour was greater than he had at first anticipated. The sum paid was 1,500*l.* In summing up the personal character of this eminent man, it may be most justly said of him, that he was mild, gentle, and unassuming. Never daunted by the difficulties of his art, he was peculiarly sensitive of slight, and easily depressed by pecuniary loss, as we have heretofore shown. Early and perhaps constitutional habits of care in pecuniary matters led him as he advanced in life to a rigidness of expenditure bordering on parsimony; but his warmth of heart and affection for his family prompted his aid to them, when wanted, with unsparing liberality. In his intercourse with society he would freely state his opinions; and, though he was careful not to offend the prejudices of others, he never shrank from a plain and straightforward assertion of his views. He who sought his professional advice was sure to have a courteous reception, and could never leave him without benefitting by his judgment. No petty feeling of jealousy induced him to withhold his stores of knowledge, nor could his profound intimacy with the principles of his art ever render him impatient of the task of giving to his less gifted brethren the results of his study, or the fruits of his sagacity. He held in theory, and exemplified in act, that whatever is worth doing at all, is worth doing well. No labour, then, was too great for him to undertake with a view to the attainment of excellence, and triumphant has been the success of his hand. No object, however mean, which his judgment told him was proper for introduction into

his subject, failed to command his minute attention; and, though upon a careful examination of his labours we are sure to find the most accurate finish in every part, we observe that the masterly skill of the painter has subdued all unnecessary prominence, all obtrusive singularity. Sir David, it appears, enjoyed a very good state of health during the ten months he was travelling through Germany to the Turkish capital, during his sojourn there, and in his subsequent excursions to Smyrna, Jerusalem, the other parts of Palestine and Egypt, in all which places the plague had been for some time carrying on its ravages. With his friend Mr. W. Woodburn he left Alexandria in the steamer *Oriental*, which had clean bills of health, and on the 26th of May arrived at Malta, where they anchored for a few hours. When they left Malta no one complained of being unwell; but the following day Sir David did not come to table, and excused himself on account of a slight fever, which he thought would subside if he kept on low diet and did not exert himself. On the 31st of May, at night, the *Oriental* entered Gibraltar bay, and in a few hours, the despatches being received on board, they made sail for England, no one having been permitted to go on shore. Shortly after she had got under weigh, six o'clock A.M., Mr. W. Woodburn went into Sir David Wilkie's berth, to request he would come up and breakfast with the company; he replied that he should probably do so, but he should like to see the doctor before he moved. Mr. Gattie, a medical gentleman, then came to him, and soon returned to Mr. Woodburn, with an assurance that his friend was in a very dangerous state. Mr. Woodburn being greatly alarmed, asked Dr. Brown (who was with Sir James Carnac) to consult with Mr. Gattie as to what could be done to save his friend; and the two medical gentlemen made every exertion, and applied all the usual remedies within their reach without avail. Sir David kept gradually sinking, but did not appear to experience any bodily suffering, and became unconscious about half-past seven, and at eight o'clock he ceased to breathe, his friends and the physicians being with him all the time. The passengers assembled to consult what was to be done, and they requested the captain to return and land the body at Gibraltar; he did return, but the orders of the governor were so strict, that the remains could not be allowed to come on shore, and therefore the last sad offices of committing his body to the deep were performed, in the most solemn and impressive manner, as the *Oriental* stood out of the bay on her way to England.

— At Camberwell, of consumption, having just completed his 24th year, Mr. Joseph Wilks, eldest son of Joseph Barber Wilks, esq., of the East India House; a young artist of very superior talents and great promise.

3. At Bayswater, aged 78, Francis Pierard, esq., late judge and magistrate in the Presidency of Bengal.

— Malachy Kelly, esq., of Woodmount, co. Roscommon, shot in a duel with Owen Lynch, esq., of Rathfeake, co. Galway. The father, Mr. H. Kelly, was present, and loaded the pistols!

7. At Swarthdale, his seat in Lancashire, aged 67, Rear-Admiral Sir Robert Barrie, K.C.B., K.C.H. He was the son of Mr. R. Barrie, of Sanquhar, N.B., and entered the navy before he completed his fourteenth year. In 1791 he accompanied Capt. Vancouver in his voyage of discovery, and on his return, in 1795, he was promoted to the rank of Lieutenant. In 1801, when Lieutenant of the *Bourdelais*, he was wounded in an action with a French squadron. He was made Commander Oct. 23, 1801; and his post commission bore date April 29, 1802. While commanding the *Pomone* 38, in the Mediterranean under Lord Collingwood, he captured a vessel in which was Prince Lucien Bonaparte with his family and all his valuables, all claim to which the officers and crew of the *Pomone* surrendered as belonging to an individual. In 1811, when in company with the *Unité* and *Scout*, he destroyed three ships of war, though they were protected by strong batteries, in Sagone Bay. On the 14th October in the same year, the *Pomone* was unfortunately wrecked on a sunken rock near the Needles point. The court-martial held in consequence declared that none of the officers were to blame except the master. During the American war, Captain Barrie rendered great service to his country. In 1819 he was appointed by the Government resident-commissioner on the Canadian Lakes, and was Commodore at that station from 1827 until the naval

establishment was broken up in 1834. He attained the rank of Rear-Admiral, 10th Jan. 1837. Sir Robert was nominated a Companion of the Bath, 4th of June, 1815, and a Knight Commander in 1840; and on the 24th Oct. 1834, was nominated a Knight Commander of the Royal Hanoverian Guelphic Order.

13. On board her Majesty's ship *Blenheim*, in Hong Kong bay, Sir Humphrey Dyke Ballantyne Le Fleming Senhouse, K.C.H., Captain and senior officer on the China coast. Sir Humphrey was the third son of the late Sir William Senhouse, Surveyor-General of Barbadoes, and of Nether Hall, in Cumberland, by Mary, second daughter and coheiress of Joseph Ashley, of Ashby Ledgers, esq., High Sheriff of Northamptonshire in 1788. He entered the navy at an early age, and when midshipman was present at the capture of Surinam in 1799. In 1806 Mr. Senhouse was appointed to command the *Express* 12, on the Leeward Island station, in which vessel he beat off the attack of a French squadron, consisting of a brig of 18 guns, and two schooners of two guns each. He was present, in 1809, at the attack of Martinique by Sir A. Cochrane and Sir C. Beckwith. Mr. Senhouse successively commanded the brigs *Wolverine*, *Ringdove*, and *Supérieure*; and in the *Ringdove*, joined in the chace of a French squadron, which ended in the capture of the *Hautpoult*, 74, in 1809. In 1813, Captain Senhouse commanded the *Recruit* and the *Martin* in North America. Whilst blockading the Delaware in the *Martin* sloop, the vessel grounded, and was immediately attacked by the United States' flotilla of gunboats, consisting of ten vessels, mounting together, eight long 32-pounder guns, twelve 18 ditto, and eight 6-pounders, and beat them off after a severe action. In 1813, Sir John Warren selected Capt. Senhouse for the responsible command of the force destined for the winter protection of the British frontier on the coast of the Bay of Fundy, and he assisted at the capture of Morse Island, in the Bay of Fundy. Capt. Senhouse also joined the expedition under Rear-Admiral Griffith and Sir J. Sherbroke, employed in the Bay of Penobscot, in the United States, in 1814; and was selected by the former to be the bearer of his official despatches, detailing the circumstances of that transaction. He was chosen by Sir Henry Hotham to be the Captain under his flag in 1815. Captain Senhouse served accordingly as Flag Captain of his Majesty's ship *Superb*, 74, during the hostilities with France at the return of Napoleon from Elba. The command of the squadron intended to support the French royalists in the western departments of France, and to blockade the coast from L'Orient to Bordeaux, to prevent the escape of Napoleon, was entrusted to Sir H. Hotham. Capt. Senhouse was engaged in aiding the royalist chiefs of the armies of La Vendée and Morbihan, and was personally in communication with them in various enterprises; and had also the gratification of witnessing the happy termination of hostilities by the personal surrender of Napoleon as prisoner on board the *Superb*, off Rochefort. With the dismantling of that ship in Sept. 1815, Capt. Senhouse's active services ceased until 1831, when he was again selected, by Sir H. Hotham, to serve under his flag, and he commanded the *Asia* and *St. Vincent* until May, 1834. He was employed in prominent services while commanding the *St. Vincent*, under Sir Henry's flag, as well as independently under his own pennant; and as Commodore at Vigo and Napoli di Romania, he received the highest commendations from Sir W. Parker, then commanding in the Tagus; of Mr. Addington, minister at Madrid; and of the Spanish Government. Sir Le Fleming Senhouse commissioned the *Blenheim*, 72, on April 9, 1839; he was sent from England with the intention of filling the office of second in command of her Majesty's naval forces employed in the Chinese war, and bore a distinguished part in the actions on the Canton river, and the attack on the city; the unexpected cessation of hostilities at the moment of success, caused so much mortification to the gallant officer, that he sunk under the combined effects of fatigue and disappointment. He was nominated a Knight Commander of the Hanoverian Guelphic Order, 13th April, 1832, and a Companion of the Bath (in ignorance of his decease) June 29, 1841. He married, in 1810, Miss Manley, daughter and coheiress of Vice-Adm. John Manley.

14. At Barbadoes, aged 56, Sir Evan John Murray M'Gregor, bart., of Lanric, co. Perth, C.B. and K.C.H., Major-General in the army, and Governor and

Commander-in-Chief of the islands of Barbadoes, St. Vincent, Grenada, Tobago, St. Lucia, and Trinidad. This gentleman was descended from the lairds of the ancient clan of M'Gregor, which during their proscription by the Campbells of Argyle, adopted the surname of Murray. Sir John Murray, the father of the subject of this memoir, was created a baronet on the 3rd July, 1795; and, having married Anne, daughter of Roderic M'Leod, esq., died on the 29th of June, 1822, when he was succeeded in the title by his only son: who, on the 6th Dec., 1822, obtained licence, under the royal sign-manual, together with his uncles Col. Alexander and Col. Robert Murray, to resume their ancient name of M'Gregor. He was appointed Lieutenant in the 15th dragoons, 6th August, 1803. He was in 1810 appointed an Assistant Adjutant-General in Spain and Portugal; in 1813, Dep.-Quartermaster-Gen. in the East Indies; in 1817, Assistant Adjutant-Gen.; and afterwards Deputy Adjutant-Gen. at Madras. He was severely wounded in the operations of the army under Lieut.-Gen. Sir T. Hislop, 27th Feb. 1818. He was promoted to the rank of Colonel in 1825, was Aide-de-camp to George the 4th and William the 4th, and attained the rank of Major-General in 1837. He was appointed Governor and Commander-in-Chief of Antigua in 1833, and subsequently the other islands enumerated above were committed to his superintendence. Sir Evan M'Gregor married, 28th May, 1808, Lady Elizabeth Murray, fourth daughter of John fourth and late Duke of Atholl, K.T.

15. At the London Hotel, Albemarle-street, the Right Hon. Emily Lady Cloncurry. She was the third daughter of Archibald Douglas, esq.; was married first in 1798 to Joseph Leeson, esq., by whom she had issue the present Earl of Milltown; and after his death in 1800, became, in 1811, the second wife of the present Lord Cloncurry.

— In Bengal, Lieut.-Colonel Geo. Hillier, Lieut.-Col. 62nd foot. He served in the Peninsula and at Waterloo, and afterwards in Canada as Aide-de-camp to Sir P. Maitland.

17. Aged 75, Mrs. Godwin, widow of William Godwin, esq., author of "Political Justice."

20. At La Bastide, in the department of the Lot, M. Murat, brother to the former King of Naples. Being free from ambition, at the time his brother Joachim governed the kingdom of Naples, he accepted the modest functions of mayor of his village, which he discharged till the hour of his death with zeal and probity.

— At Sidmount Cottage, Moffat, the Right Hon. Lady Mary Beckwith, widow of Sir Thomas Sidney Beckwith, K.C.B., eldest daughter of the late Sir W. Douglas, of Kelhead, bart., and sister of the Marquess of Queensberry.

22. At Castle Hill, Devonshire, aged 88, the Right Hon. Hugh Fortescue, Earl Fortescue and Viscount Ebrington, co. of Gloucester (1789), third Baron Fortescue of Castle Hill, co. Devon (1746), D.C.L. and F.S.A. This venerable nobleman was born on the 12th March, 1753, the eldest son of Matthew second Lord Fortescue by Anne, second daughter of John Campbell, esq., and aunt to the first Lord Cawdor. He travelled under the tutorship of Dr. Gray, author of "The Happiness of States," a work controverting the opinions of Adam Smith. At the general election of 1784, he was returned to Parliament for Beaumaris; but on the 8th of July, 1785, he succeeded to the peerage, on the death of his father. He had thus been a member of the House of Peers for the long period of fifty-five years. By patent, dated August 15, 1789, he was advanced to the titles of Viscount Ebrington and Earl Fortescue. He had divided with ministers in favour of the Regency Bill of 1788. On the trial of Viscount Melville, he voted him guilty on the second charge. He afterwards constantly supported the Whig party, together with their measures of Roman Catholic Relief and Parliamentary Reform. His Lordship was for some years Lord Lieutenant, Custos Rotulorum and Vice-Admiral of Devonshire, which offices he subsequently resigned to his son. He was also High Steward of Barnstaple and South Molton. Earl Fortescue married, May 10, 1782, Hester, third daughter of the Right Hon. George Grenville, sister to the Countess Dowager of Carysfort and the late Lord Grenville.

24. At Edinburgh, at an advanced age, the Hon. William Mordaunt Maitland, a General in the army; uncle to the Earl of Lauderdale and the Marquess of Tweeddale, great-uncle to the Countess of Dalhousie and the Mar-

chioness of Douro, &c. He was the fifth son of James seventh Earl of Lauderdale, by Mary Turner, only child of Sir Thomas Lombe, Knt., and was a younger brother to the late Right Hon. Lieut.-General Sir Thomas Maitland, G.C.B. General Maitland's commission bore date as follows:—Cornet in the 10th dragoons in 1779; Lieutenant in 1781; Captain, 1783. He served in India in 1790 and 1791, during which period he was at the storming of Tippoo's lines, and siege of Seringapatam, where he was wounded. In 1792 he returned to England, in 1794 he received the brevet of Major, and was appointed Lieut.-Col. of the Devon and Cornwall Fencibles; Colonel, 1801; and in 1804 served in Ireland as Brigadier-General; Major-General, 1808; Lieut.-General, 1813; and General, 1830. The General was twice married: first to Mary, widow of John Travers, esq., and daughter of the Rev. Mr. Orpin; and secondly, June 6, 1810, to Jane, widow of Dalhousie Watherston, of Manderstown, co. Berwick, esq., and daughter of the Rev. Thomas Walker.

— At Patshull, Staffordshire, in his 76th year, Sir George Pigot, the third baronet (1764), a General in the army. In the crisis of the war with revolutionary France, he raised a regiment himself, which was numbered the 130th, of which he was appointed Lieutenant-Colonel Commander, June 12, 1794. He was promoted to the rank of Colonel 1800, Major-General 1805, Lieut-General 1812, and General 1825. Sir George Pigot succeeded to the title on the death of his father, Aug. 1, 1796. He had married in the preceding month, Mary Anne, daughter of the Hon. John Monckton, of Fineshead, co. Northampton, and grand-daughter of John first Viscount Galway.

— In Wyndham-place, aged 63, Sir George Tuite, the eighth baronet, of Sonagh, co. Westmeath (1622). He was the only son of Marcus Anthony Tuite, esq., and younger son of the sixth baronet, by Patience, second daughter of Marlborough Stirling, esq. When a young man, he saw much service in India, as an officer of the 19th dragoons, and served under the Duke of Wellington at the battle of Assaye. He succeeded to the title of baronet on the death of his uncle, Sir Henry, in August, 1805.

— Aged 84 years, the Rev. Robert Palk Welland, for forty-eight years rector of Shillingford and Dunchidiock, and long an active and useful magistrate of the county of Devon.

25. At Downing, Flintshire, aged 78, David Pennant, esq., of Downton and Bychton, second, but eldest surviving son of Thomas Pennant, esq., D.C.L. and F.R.S., the celebrated naturalist and tourist, by his first wife Elizabeth, daughter of James Falconer, esq., of Chester. He succeeded his father in his property in 1798, and in the following year served the office of High Sheriff of Flintshire.

26. At York-terrace, Regent's Park, aged 68, William Brame Elwyn, D.C.L., many years Recorder of Deal, and a magistrate for Middlesex.

— At Caistor, Philip Skipworth, esq., of Laceby. He was present with Lord Worsley at the recent election, and while in the act of addressing the electors complained of dizziness in the head, and in five minutes was a corpse.

28. In the Cloisters, Gloucester, aged 82, the Rev. Arthur Benoni Evans, A.M., rector of Colne Rogers, and vicar of Barnwood, and for upwards of fifty years Head Master of the College School in that city.

— At Cheltenham, aged 83, the Right Hon. Letitia dowager Lady Clonbrock. She was the daughter and heir of John Green, of Old Abbey, co. Limerick, esq., by Catharine Toler, eldest daughter of John Earl of Norbury; was married first in 1776, to Robert Dillon, esq., created Lord Clonbrock in 1790, who died 1795.

Lately. At Worlingham Hall, aged 55, the Right Hon. Mary Countess of Gosford. She was the only daughter and heiress of Robert Sparrow, esq., of the same county, and was in July, 1805, married to the Earl of Gosford.

— At Great Malvern, aged 70, Commander William Cullis, R.N., an officer of the most distinguished bravery; he was supposed to have received more wounds in engagements than any man in the Navy, and had been twice reported mortally wounded.

— At Gibraltar, Major Basil Robinson Heron, of the Royal Artillery. Major Heron served at Scylla, in Calabria, and in the expedition from Sicily in 1807. He was present at the capture of Martinique; at the sieges of Pigeon Island and Fort Bourbon in 1810; served in the Peninsula from May 1812,

to Aug. 1814, including the affair at Osme; battle of Vittoria, where he was wounded; both sieges of San Sebastian; passage of the Bidassoa, Nivelle, and Neve, &c. &c.

— At New York, aged 78, Dr. William James M'Nevin, the Irish rebel, and companion of Emmett.

JULY.

1. At St. Mary Castlegate, York, Sir Thomas Edlyne Tomlins, knt., barrister-at-law, and one of the benchers of the Inner Temple. Sir Thomas was born in London, 4th January 1762, the eldest son of Mr. Thomas Tomlins, of Painter-Stainers Hall, an eminent solicitor; he was educated at St. Paul's school, under the Rev. Dr. Roberts; entered as a Commoner of Queen's College, Oxford, 27th Oct. 1778; called to the bar by the Benchers of the Inner Temple, Hilary Term, 1783. His legal employments were as follows:—Counsel to the Chief Secretary for Ireland, 30th May, 1801; and in the same year Parliamentary Counsel to the Chancellor of the Exchequer for Ireland, until the Union of the British and Irish Treasuries in 1816. In 1818 he was appointed Assistant Counsel to the Treasury, in lieu of the last office, from which situation he retired, on the Whigs coming into office, January 1831. Sir Thomas received the honour of knighthood, 29th June, 1814, at Wanstead House, upon the recommendation of the Duke of Wellington, and was created a Bencher of the Inner Temple, in Hilary Term 1823; and filled the office of Treasurer to that Society in 1827. He was author and editor of many legal publications of value.

2. At Kernaul, Capt. Henry D'Acre Lacy, of her Majesty's 3rd Buffs.

3. At Fulham, aged 84, the wife of John Bawden, esq., late of Chard, Somerset, solicitor. The deceased was the daughter of the brave General Monckton, who was first in command under General Wolfe.

— At her residence at Hammersmith, aged 63, Mrs. Mountain, the once favourite public singer. She was a native of London, and her maiden name was Wilkinson, under which she first appeared in 1782 (when fourteen years of age) in a piece called "Mount Parnassus," the principal characters of which were represented by children. About three years after this she was engaged by the celebrated Tate Wilkinson, at 18*s.* a week, and she opened at Hull, as Patty, in the "Maid of the Mill," and made a pretty decided hit; but Mrs. Jordan was at that period the star of the company, and our heroine had few opportunities for displaying her talent. Rosetta, however, brought her somewhat into notice, and in 1784, when an engagement at Drury Lane took Mrs. Jordan from the North, the unanimous call of the York audience placed Miss Wilkinson on the vacant throne. In 1786, Miss Wilkinson was at Liverpool, where she was much admired. In the latter end of the same year, her father engaged her to the proprietors of Drury Lane; but, being offered better terms by the manager of Covent Garden, she engaged for three years upon a rising salary. Miss Wilkinson made her appearance in the characters of Fidelia in the "Foundling," and Leonora in the "Padlock." The celebrity she had obtained in the country had reached London before her appearance, and her performance was greeted with reiterated plaudits. Before the expiration of her first season, she married Mr. Mountain, a violinist of some celebrity. Mrs. Mountain next visited Dublin, and was exceedingly well received. In 1790 she played first at Covent Garden, and then at the Haymarket. In consequence of a serious quarrel with Harris, the manager of the former theatre, Mrs. Mountain was so indignant at the treatment she received that she would not accept another engagement with him, and she never again played at that theatre. She next sang at Vauxhall Gardens, then at the height of their celebrity. After again playing at the Haymarket, Mrs. Mountain, wanting something to fill up the leisure of the vacation, (for in those times the winter theatres actually closed for three or four months,) hit upon the novel expedient of giving a performance by herself, and visited the principal towns in this and the sister kingdom with unprecedented success. Mr. Panormo (once so justly celebrated as a pianist), who was the pupil of Mr. Mountain, attended them in some of their rambles, and accompanied Mrs. Mountain upon the piano. In 1808, Mrs. Mountain succeeded to most of the characters formerly sustained by Mad. Storace. She went with the Drury Lane

company to the Lyceum in the following year, and was afterwards retained at the English Opera. On the 4th of May, 1814, Mrs. Mountain took a farewell benefit at the King's Theatre, in the Haymarket, to a splendid house; on which occasion an honour was conferred on her by her audience, which was unparalleled in the history of the drama, the ladies being attired in court dresses. In private life Mrs. Mountain was always irreproachable, and an ornament to society.

4. At his seat, Trewithan, Cornwall, aged 83, John Hawkins, esq. of Bignor Park, Sussex, F.R.S., and a magistrate for the counties of Cornwall and Sussex.

8. Drowned, while bathing at Torquay, aged 58, the Right Hon. Thomas Peregrine Courtenay, brother to the Earl of Devon. Mr. Courtenay was born on the 31st May, 1782, the younger son of the Right Rev. Henry Reginald Courtenay, Lord Bishop of Exeter, by Lady Elizabeth Howard, daughter of Thomas second Earl of Effingham. He was first returned to Parliament in 1810, as one of the members for Totnes, and was re-elected to every succeeding Parliament until the dissolution of 1831, when he retired. In 1812 he was appointed Secretary to the Commissioners for the affairs of India, and he filled that office to 1828, when he was promoted to the chair of Vice-President of the Board of Trade, and was sworn a Privy Councillor on the 30th May. He retired from office in 1830, since which time he had enjoyed a pension of 1000*l.* a year. Mr. Courtenay was the author of several political and statistical works. After his brother's accession to the Earldom of Devon, Mr. Courtenay was raised to the rank of an Earl's younger son, in Nov. 1835. He married, April 5, 1805, Anne, daughter of the late Mayow Wynell Mayow, esq. of Sydenham, Kent.

16. In Arlington-street, aged 76, the Right Hon. Charles Duncombe, Baron Feversham, of Duncombe Park, co. York. He was born December 5, 1764, the eldest son of Charles Slingsby Duncombe, of Duncombe Park, esq., by Isabel, daughter of — Soleby, of Helmsley, co. York, esq. He was first returned to Parliament for Aldborough, at the general election of 1796; was re-chosen in 1802 and 1806. In 1812 he was elected for Heytesbury; and in 1820 for Newport, in the Isle of Wight. By patent, dated the 14th July, 1826, he was called to the House of Peers, by the title of Lord Feversham, which had been previously borne by the family of Duncombe, in the person of Anthony, created Lord Feversham, of Downton, co. Wilts, in 1747, but who died without surviving male issue in 1763. His Lordship married Sept. 24, 1795, Lady Charlotte Legge, only daughter of William second earl of Dartmouth, who survives him.

— At St. Leonard's, aged 83, Sir Thomas Strange, knt., Chief Justice of Nova Scotia from 1791 to 1796, and was Recorder, and afterwards Chief Justice, of Madras for eighteen years.

17. The Dowager Lady Chetwynd, relict of Sir George Chetwynd, the first baronet, of Grendon Hall, co. Warwick, and Brocton Hall, co. Stafford.

18. At Talacre, the family seat in Flintshire, in his 56th year, Sir Edward Mostyn, bart.

21. On board the *Reindeer* steamer, in his passage from Liverpool to Belfast, aged 47, the Right Hon. Price Blackwood, third Baron Dufferin and Claneboye, of Ballyleidy and Killyleagh, co. Down (1800), and the fifth Baronet (1763); a Post Captain R. N. His Lordship was born at Dublin, on the 6th May 1794, the third son of Hans the second baron, by his first wife, Mehetabel Hester, second daughter and co-heiress of Robert Temple, esq. He first went to sea, May 1808, in the *Warspite* 74, commanded by his uncle, Captain (now Sir Henry) Blackwood, under whom he continued to serve on the Mediterranean and Channel stations until about June 1813; when, having passed his examination for Lieutenant, he joined the *Goliah* 58, Capt. F. L. Maitland, fitting out for the North American station, where he was promoted into the *Mohawk* sloop, Capt. Henry Litchfield, March 10, 1814. His Lordship was actively employed during many years. His Admiralty commissions, as Commander and Post Captain, bear date June 4th, 1821, and April 2, 1823. He succeeded to the peerage on the death of his father, Nov. 15, 1839. He complained of indisposition on the vessel leaving Liverpool, and directed the steward of the steamer to bring him a dose of morphine, which he swallowed on going to bed. During the night he breathed heavily in his sleep; and at seven o'clock on Wednesday morning he

was observed still asleep. At nine A.M. he was found dead in his sleeping berth. An inquest was held on the body; when it appeared, from an analysis of the contents of the stomach, that the noble lord came by his death from taking an over-dose of morphine. His Lordship married, July 4, 1825, Helen Selina, second daughter of Thomas Sheridan, esq., and sister to Lady Seymour and the Hon. Mrs. Norton.

24. At Torrie House, Fifeshire, aged 31, Lady Emma Wemyss. The deceased was the youngest daughter of the late Earl of Erroll, by his second marriage with Alicia, third daughter of Samuel Elliot, esq., and married on the 8th of August 1826, Captain James Erskine Wemyss, R.N., M.P. for Fifeshire.

28. At Acton Burnell, aged 25, Edward J. Smythe, esq., eldest son of Sir E. J. Smythe, bart. He was riding with his father round the park, when he suddenly fell back and expired, it is supposed from a disease of the heart.

30. At Ryde, aged 84, Sir Theophilus Biddulph, bart., of Birbury Hall, Warwickshire.

31. At Dingle, in the co. Kerry, aged 63, the Hon. Edward De Moleyns. This gallant veteran was the son of the late Right Hon. Thomas Lord Ventry, and a Deputy Lieutenant of the county. He served in the 28th Regiment throughout the whole of the Peninsular war, and was wounded severely at Barossa, and was honoured with the field officer's medal for Orthes, where he commanded a brigade of the light infantry companies.

Lately. At Bath, aged 62, Thomas Henry Hele Phipps, esq. of Leighton House, Westbury, Wilts. This excellent magistrate had been for upwards of twenty-five years the chairman of the quarter sessions at Warminster, and served the office of high sheriff in 1817. He fell down on his way home to dine, in an apoplectic fit, which instantly terminated his long and useful public services.

— At Southsea, aged 64, Commander William Swiney, R.N. He served under Howe, St. Vincent, Nelson, Keith, &c., was junior Lieutenant of the *Leander* at the battle of the Nile, and also in the action which she fought with the *Genereaux;* and was actively engaged in the landing in Egypt.

AUGUST.

1. At Dominica, James Laidlaw, esq. Secretary, Registrar, and Clerk of the Council, and Clerk of the Enrolments in that island.

12. At Leamington, in his 71st year, Thomas Sharp, esq. the well-known Coventry antiquary.

13. At St. George's Hospital, aged 73, Joseph, nephew of Oliver Goldsmith.

— At Hamburgh, aged 73, the celebrated violoncellist, Bernard Romberg.

— At Leamington, Vice-Admiral Sir Patrick Campbell, K.C.B. The deceased was a most active and zealous officer. In July 1800, when in command of the *Dart* sloop of war, and serving under Captain Henry Inman, of the *Andromeda*, in an attempt to destroy a French squadron lying in Dunkirk harbour, he carried and brought out *La Desirée*, mounting 40 guns, long 24-pounders, on the maindeck, and a complement of 350 men, some of whom were on shore. The *Dart* lost only one man killed, and her first Lieutenant and ten men wounded. Three days after this capture, the deceased was advanced to post rank in the *Ariadne*, of 20 guns. His next appointment was to the *Doris* frigate, which was wrecked in Quiberon Bay on the 12th of January, 1805. In 1807, he commanded *L'Unité*, a fine frigate, stationed off Corfu. In 1808, he captured a French xebec of 6 guns, and three Italian brigs of war, each of 16 brass 32 pr.-carronades, and measuring about 400 tons. From *L'Unité* Captain Campbell removed into the *Leviathan* of 74 guns in the Mediterranean. On the 29th of April, 1812, the boats of that ship attacked a French privateer of 14 guns and 80 men, and several merchant vessels, at Agay; four of the latter were brought out, and the privateer carried. Eleven days after, a detachment of seamen and marines of the *Leviathan* assisted at the capture of sixteen merchant vessels with cargoes, under the batteries of Languilla. June the 27th following, the batteries at that place were stormed, the guns spiked, their carriages rendered useless, and eighteen sail of vessels destroyed by the *Leviathan*, and three other vessels under Captain Campbell's orders. Captain Campbell was nominated a C.B. in

June, 1815. In July 1830, he was promoted to the rank of Rear-Admiral, and in May, 1834, he was appointed Commander-in-Chief at the Cape of Good Hope, and in 1838, he was advanced to the rank of Vice-Admiral.

14. At Salt Hill, Kingstown, in her 86th year, the Dowager Countess of Carrick, grandmother of the present Earl of Carrick.

— Thomas Andrew James, esq., Barrister-at-Law, the only son of Thomas James, esq., a Bencher of Gray's Inn, and nephew of the late Dr. James, Bishop of Calcutta.

15. At Egham, aged 37, Elizabeth, wife of Mr. John Gould. She had accompanied her husband in his recent expedition to the interior of Australia, and since their return had been preparing drawings of the various extraordinary zoological productions discovered by Mr. Gould. All the drawings for his scientific works, published during the last twelve years, were from his wife's pencil.

17. At his seat, Wavendon House, Bucks, after a long illness, from the effects of gout, in his 80th year, Sir Henry Hugh Hoare, bart., of Stourhead, co. Wilts, and St. James's Square; and the senior partner of the eminent Banking-house, No. 37, Fleet-street. He was the eldest son of Sir Richard Hoare, the first Baronet, of Barn-Elms, co. Surrey. In 1838, on the death of his half-brother, the late Sir Richard Colt Hoare, Sir Hugh succeeded to the Baronetcy, and to the whole of his landed as well as personal property, which was, by the will of Sir Richard Hoare, strictly entailed upon the male descendants of the family.

18. At his residence, near Newbury, Jonathan Peel, esq., of Culham, first cousin to Sir R. Peel, bart.

19. At Lawson's Hotel, Rue St. Honoré, Paris, the Very Reverend James Edward Jackson, M.A. Dean and Rector of Armagh.

20. At Hootton Hall, Cheshire, Sir Thomas Stanley Massey Stanley, the ninth Baronet of that place. He succeeded to the title in 1803, on the death of his eldest brother, Sir William, then in his minority. Sir Thomas married, in 1805, Mary, only daughter of Sir Carnaby Haggerston, bart., and sister to the present Sir Thomas Haggerston. By that lady he had issue four sons and one daughter.

— At Biddenden, in Kent, in his 80th year, the Rev. Edward Nares, D.D., Regius Professor of Modern History and Modern Languages, in the University of Oxford. He was the third son of Sir George Nares, knt., one of the Judges of the Court of Common Pleas, and for some time M.P. for the City of Oxford. He was educated at Westminster School, where he continued till 1779, and then removed to Christ Church, Oxford. After taking his Bachelor's degree, he was elected a Fellow of Merton College, in 1788. In 1792, he entered into holy orders, and was soon afterwards presented to the cure of St. Peter's in the East, by the College of which he was a member. He vacated his Fellowship in 1797, on his marriage with Lady Charlotte Churchill, third daughter of George fourth Duke of Marlborough. In 1798, he was presented by the Archbishop of Canterbury to the Rectory of Biddenden, where for the most part he continued to reside till his decease. On the death of Lady Charlotte Nares, January 15, 1802, he married secondly, Cordelia, second daughter of Thomas Adams, esq., of Osbornes, near Cranbrook. In 1805, he was appointed Bampton Lecturer. In 1814, the Prince Regent appointed him to succeed Dr. Beeke, in the Professorship of Modern History; on which occasion he accumulated the degrees of B. and D.D. Dr. Nares was the author of many excellent theological works.

21. At the Royal Naval Hospital, Plymouth, aged 45, Captain Hugh Nurse, R.N. While in his command of a tender of H.M.S. Tyne, in the West Indies, in the year 1820, he highly distinguished himself in a desperate and successful conflict against a very superior piratical force, in which action he was severely wounded.

23. Aged 66, Edward Scriven, esq., of Clarendon-square, historical engraver.

24. At his house near Fulham-bridge, after a severe indisposition of several weeks, in his 53d year, Theodore Edward Hook, esq. F.S.A. He was born in Charlotte-street, Bedford-square, September 22, 1788, and from his earliest youth was destined to be a cultivator of the polite letters of his age and country. He was the son of James Hook, the popular composer, whose pleasing strains delighted the preceding

generation (when Vauxhall Gardens were a fashionable resort), by his wife, formerly Miss Madden, a lady of singular accomplishments. His indications of genius were early and remarkable. At the premature age of seventeen he produced his first drama, "The Soldier's Return," a comic opera, which was acted in 1805, and for which he received 50*l*. This was his first reward, and with the prospect of an exhaustless treasure before him—the gold to be coined from his own mind—he rushed with the ardour of that juvenile period of life into the pleasures to which society in London courted the *debutant* who had so early distinguished himself in the great arena of dramatic competition. Elegant in manners — possessed of a great knowledge of music, both vocal and instrumental — gifted with a wit, which, we believe, was never surpassed,—it was no wonder that he was petted by the men, who wished to render their dinner-tables convivial, and by the ladies, who wished to render their drawing-rooms attractive. Handsome, witty, and happy, Hook entered upon his gay career with every advantage. The associations of the stage, with all their attractions, were open to him, on his father's account and his own; and he speedily formed intimacies with many of the pleasantest of pleasant men and women who at that time were the soul of society in London. Their tricks, their jokes, and masqueradings, for the next few years, replete, as they were, with frolic and drollery, would fill a volume of whim, such, indeed, as he has sometimes introduced into his later novels. But, though playing in the bright stream of enjoyment, he did not allow luxury or idleness to interfere with graver pursuits. He continued to write with prolific industry, and with increasing popularity. In 1806 he produced "Catch him who can," a farce; "The Invisible Girl," a drama, or monologue, written to exhibit the peculiar talent of his friend, Jack Bannister; and "Tekeli," a melo-drame, which was excellently acted, and caused a great sensation in the dramatic world. "The Fortress," another melo-drame, followed in 1807; "Music Mad," a dramatic sketch, and "The Siege of St. Quintin," in 1808; "Killing no Murder," and "Safe and Sound," in 1809; "Ass-ass-ination," and "The Will and the Widow," in 1810; "Trial by Jury," a farce, and "Darkness Visible," a farce, in 1811. Of these, "Killing no Murder" created the most sensation, the licence being denied to it by Mr. Larpent, the deputy licenser, in consequence of his alleging that it turned a Methodist parson into ridicule. Hook defended his production, and flagellated the licenser in a clever preface, which created much amusement, and ultimately obtained the victory for wit and satire over dullness and dogmatism. In representation, however, the character was of necessity transmogrified into that of a dancing-master (Apollo Belvi), so inimitably given by his friend Liston. Several of his early literary efforts appeared in the "*Satirist Magazine*," published soon after the ejection of the Whigs from office in 1807. In 1809 he published a novel in three volumes, called "The Man of Sorrow, by Alfred Allendale, esq.," which was severely handled by the critics, who little foresaw the future reputation of the youthful writer. In 1813 Mr. Hook was appointed to the offices of Accountant-general and Treasurer of the Mauritius, whither he proceeded with every prospect of fortune before him. He held these offices from the 9th of October, 1813, to the 28th of February, 1818. In 1814 he was made superintendent of the Government press, which duty he performed to April 15th, when a regular Editor was appointed. In April, 1818, he was sent home a prisoner; and in October the same year he was released, the law-officers declaring there were no legal grounds to detain him. This disgrace originated in a defalcation in his accounts to the amount of 12,000*l*., which, however, does not appear to have been caused by any peculation of Mr. Hook himself, but of one of his clerks, owing chiefly to Mr. Hook's culpable negligence. Conscious of integrity, though legally answerable for his trust, Mr. Hook made the best of his position. His friends rallied round him in his adversity, and perhaps no palace ever rung with louder bursts of laughter—as the jest, and pun, and witticism followed in quick succession, among the merry souls who came to solace him,—than did the abode in which he was temporarily confined. On August 23, 1819, he produced at the Haymarket Theatre, a comedy in three acts, called "Pigeons and Crows." The scene lay

at Margate, and the title referred to the deception practised on a City Alderman residing there. And on the 12th of August, 1820, at the same theatre, he produced another comedy in three acts, called "Exchange no Robbery, or the Diamond Ring." This piece was then attributed to Mr. Richard Jones, but was written by Mr. Hook, and was completely successful. In the same year he published a witty trifle, in ridicule of Alderman Wood and Queen Caroline, under the title of "Tentamen; or an Essay towards the History of Whittington, sometime Lord Mayor of London, [and his Cat]. By Vicesimus Blenkinsop, LL.D., F.R.S., A.SS.," &c. In 1821, the Haymarket Theatre opened with another drama from his pen, entitled "Peter and Paul," but it was only acted three nights, and failed to be productive to the house or the author. Ever a staunch Tory in principle, the establishment of the *John Bull* newspaper in December, 1820, formed an important event in his life. He was selected to be its editor; and, besides holding a share in the property, he was allowed, as we have heard, a handsome weekly salary for this duty. It is not for us to enter into a discussion, either upon the politics or personalities which marked the opening of this party-battery: but we may truly say, that the *éclat* given to its early numbers by his lavish talent raised the publication at once into a high degree of popularity and profit. Since his return to this country, Mr. Hook's writings cover a space of more than twenty years, charming the public in many a way, whilst their gifted author was enjoying all the best society in the metropolis, all its gaieties and humours, —himself the most gay and humourous of its merry sons. His company was sought by the luxurious and by the intelligent; by the mirthful and the wise; by the fair and by the learned. Wherever he came he was a welcome guest, and his arrival was the signal for hilarity and festivity. The dining-room and the drawing-room were alike his theatres: the former was enlivened by the jest and song—the latter by music and improvisation, of which he was master beyond any man that perhaps England ever beheld. It was a fortunate moment in which Mr. Hook first turned his attention to prose fiction, for which his jovial habits and quick apprehension of peculiarities of character eminently qualified him. He was the author of upwards of a dozen tales or more, all of which evince great knowledge of town life, great powers of caricature, great ease and spirit of style, and it must be added too, with occasional negligence, both in the disposition of incident, and the construction of plot. The earliest of his novels, "Sayings and Doings, the first Series," was sold to Mr. Colburn before a line of it was written, and appeared in 1824; and here simple justice requires that the liberality of that publisher should be mentioned. Mr. Colburn was bound to pay 600*l.* for the three volumes, and no more. The success of the book was great; but to the honour of Mr. Colburn we now state, what has never appeared, that he presented the author, at subsequent periods, two sums, 150*l.* and 200*l.* in addition to the 600*l.* he had bound himself to pay—thus making 950*l.* Poor Hook was no exception to the class of men of genius and wit; the carelessness of his disposition, his non-attention to matters of money, as it had involved him in difficulty at the Mauritius, unhappily prevailed with him while life lasted, and it was found that he had left his six children even utterly destitute. A second and a third series of "Sayings and Doings," soon followed the first, for each of which Mr. Colburn gave him 1000 guineas. The following is, we believe, a correct list of Mr. Hook's works, and the dates of their publication:—"Sayings and Doings," 1st Series, 21st Feb. 1824; 2nd Series, 26th Jan. 1825; 3rd Series, 29th Jan. 1828; "Maxwell," Nov. 15, 1830; "Life of Kelly," (edited by Mr. Hook), 1826; "Life of Sir David Baird," Nov. 6, 1832; "Parson's Daughter," May 2, 1833; "Jack Brag," March 15, 1837; "Births, Deaths, and Marriages," March 18, 1849; "Love and Pride," Nov. 24, 1833; "Gilbert Gurney," Nov. 30, 1835; "Gurney Married," 1839; "Peregrine Bunce," 1842, (Posthumous.)

— At Lymington, aged 35, George Walter Adams Nares, esq., youngest son of the late Rev. Dr. Nares, of Biddenden, Kent, and grandson of the Duke of Marlborough.

26. At Grenofen, near Tavistock, aged 47, the Rev. Jonathan Philips Carpenter, formerly incumbent of South Sydenham, Devon. His death affords

an awful lesson of the uncertainty of human life. He had breakfasted, read the customary morning prayer, and had been playing with his children. It was his custom after this to read the newspaper, and while reading, to put one hand into his pocket; when Mrs. Carpenter left the room, in which they were sitting, he was in that posture. On her return (hardly a quarter of an hour had elapsed) she found him lying on his back on the floor, his feet on the chair, quite dead! — his hand in the position stated, which would show that his death was instantaneous, and without a struggle.

— In Arlington-street, aged 42, Lieutenant-Colonel the Hon. George Berkeley Molyneux, Lieut.-Colonel of the 8th Dragoons; next brother to the Earl of Sefton. He was born on the 26th of June, 1799, the second son of William Philip second Earl of Sefton, by the Hon. Maria Margaretta Craven, second daughter of William sixth Lord Craven. He entered the army as Cornet the 3rd of May, 1815; was promoted to the rank of Lieutenant, 12th of September, 1816; to a troop, 11th of April, 1822; to be Major, 28th of September, 1826; and Lieut.-Colonel, 31st of December, 1827,

— At his house, 71, South Audley-street, of inflammation in his bowels, General Isaac Gascoyne, for twenty-five years Colonel of the 54th Foot. He was one of the three sons of Bamber Gascoyne, esq., M.P. for Truro, and one of the Lords of the Admiralty, &c., who resided for many years at Barking, Essex. He was appointed an Ensign in the 20th Foot, 8th of February, 1779, and passing through the various professional grades, in 1819, received the rank of General. He served with the Guards in the campaigns in Flanders, and was present in the most material actions. He was severely wounded in the affair at Lincelles, and again in 1794, whilst commanding the covering party in the retreat of Sir Ralph Abercromby's army from Mouvaix to Roubaix. The General was returned to Parliament for the city of Liverpool in 1796, and represented that city until the passing of the Reform Bill. He moved the celebrated amendment which threw out the second Reform Bill by a majority of 1.

28. At St. John's Wood, aged 52, Colonel George Edmond Hamilton Gordon, Captain half-pay 71st Regiment, formerly Aide-de-camp to the Duke of Orleans, and Equerry to the Duke of Gloucester. He was appointed Lieut. 100th Foot, 1794, Captain 1795, Captain 18th Foot, 1806, Brevet-Major, 1808, Lieut.-Colonel, 1814, and Colonel, 1837.

— At Mortimer Lodge, near Reading, aged 70, Edward Fellowes, esq., Vice-Admiral of the Red. Admiral Fellowes was a son of the late William Fellowes, of Ramsey Abbey, esq., M.P. for Andover, and brother to William Henry Fellowes, esq., M.P. for co. Huntingdon. He was made a Lieutenant in 1793, and served in the *Phaeton* in Lord Howe's action in June 1794. In 1795 he was promoted to be Commander in the *Albicore* sloop, and he obtained post rank in the *Tourterelle*, of 26 guns, December the 7th, in the same year. He was present at the reduction of St. Lucia, and soon after that event removed into the *Alarm* frigate. On the 23rd of November, 1796, he captured the Spanish corvette, *El Galgo*, of 18 guns, off Granada, which had on board specie to the amount of 80,355 dollars. In February, 1797, the *Alarm* formed part of the squadron under the orders of Rear-Admiral Harvey at the conquest of Trinidad; and was subsequently employed on the Jamaica station. His next appointment was to the *Acasta*, a frigate of the largest class, in which he captured several enemy's privateers and merchant vessels. In 1805 he was appointed to the *Apollo* frigate; and in 1806 was employed under the orders of Sir W. Sidney Smith, in co-operation with the British army under Major-General Stuart, on the shores of Calabria. During the second expedition to Egypt, Captain Fellowes commanded the gun-boats in the Nile at both the unsuccessful attacks on Rosetta. He subsequently commanded the *Conqueror*, of 74 guns, on the Mediterranean station, from whence he returned to England in 1812, since which time his health did not allow him to be in active service. He was advanced to the rank of Rear-Admiral, June 4th, 1814, and to that of Vice-Admiral in 1830. He married the eldest daughter of the late R. Benyon, esq., M.P. for Peterborough.

Lately. At Reading, aged 86, Elizabeth, wife of Chevalier Jean Baptiste

Le Noir, last surviving daughter of the poet Christopher Smart.

— At Ruyton, Shropshire, aged 52, Sir Henry Edwardes, the ninth Baronet (1644-5).

— In Jamaica, aged 40, Lieut.-Col. the Hon. Augustus Frederick Ellis, commanding the second Battalion 60th Royal Rifles, second son of Lord Seaford, and brother to Lord Howard de Walden. His death was accelerated by his indefatigable attention and anxiety to arrest the mortality which had already destroyed many of his regiment.

— At St. Thomas's, Lieut.-Colonel John Clavell Sladdon Slyfield, K.H., of the 60th Regiment. He entered the service on the 5th of October, 1812, and served in the Peninsular war.

SEPTEMBER.

2. Within sixteen days of the death of her elder brother, Sir Hugh Hoare, bart., at the Manor-house, Beckenham, co. of Kent, in her 78th year, the Hon. Mrs. Fortescue.

— At Corynton Park, aged 79, William Tucker, esq., for many years an active magistrate for Devon and Dorset.

9. In Portman-square, James Blair, esq., of Penninghame, co. Wigtown, late M.P. for that county. In the Parliament of 1820, Mr. Blair sat for the borough of Aldborough in Suffolk; and in that of 1826, for Minehead. At the general election of 1835, he was a candidate for the county of Wigtown, in opposition to the former member, Sir Andrew Agnew, bart., but lost his election. In 1837 Sir Andrew Agnew retired, and Mr. Blair was successful.

— At Geneva, aged 64, Augustus Pyramus De Candolle, one of the most distinguished botanists of the present age; he was born at Geneva on the 4th of February, 1778, which year, by a remarkable coincidence, is also memorable by the death of Linnæus, the father of modern botany. Possessing a remarkable facility of writing verses both in French and Latin, and having at the same time a keen relish for the study of history, young De Candolle at first resolved to make literature his profession; aspiring, as the summit of his ambition, to the fame of being a great historian. But this dream of his youth was effaced by a new taste, imbibed during a residence in the country, where he amused himself with examining the plants of the neighbourhood, and with writing their descriptions, before he had even opened a single book on botany. The few pages he there read of the volume of Nature were sufficient to captivate his affections for the pursuit which henceforth became the dominant passion of his life. The botanical lectures of Professor Vaucher, which he attended in 1794, confirmed him in the resolution he had formed, of devoting himself to the cultivation of Botany as his primary object, to which all other sciences, as well as branches of literature, were hereafter to be deemed subordinate, and to be followed merely as recreations from severer study. A visit to Paris, which he made in 1795, gave him the opportunity of attending the lectures of Cuvier, Fourcroy, Vauquelin and other distinguished professors of that period, and of forming friendships with Desfontaines and Lamarck. The establishment of the Society of Physics and Natural History at Geneva, which took place, after his return, under the auspices of the celebrated De Saussure, gave a fresh and powerful impulse to his exertions; as was evinced by the numerous memoirs which he presented to that society. The state of Geneva being soon after this period, absorbed into the French empire, De Candolle was induced to quit that city and attend the medical lectures in Paris; a course of study, which, tending to enlarge his views of the physiology of organised beings, contributed greatly to the success with which he afterwards cultivated the philosophy of botany. In 1804 he gave lectures on vegetable physiology at the Collège de France, and published an outline of his course in 1805, in the *Principes de Botanique* prefixed to the *Flore Française*. In 1806 he was commissioned by the French Government to collect information on botany and the state of agriculture through the whole of the French empire, the limits of which, at that time, extended beyond Hamburgh to the north, and beyond Rome to the south. Every year, during the following six years, he took a long journey in the fulfilment of the task assigned him, and drew up a report of his observations for the minister. In these annual reports, however, he did

not confine himself to the special objects of his commission, but made known his views with regard to the internal administrations of the countries he visited, suggesting at the same time measures for their amelioration and for the correction of existing abuses. He had projected a great work on the agricultural state of the empire, and had even executed considerable portions of it, comprehending the French Flora arranged according to modern views of classification, when the political events of 1814 put an entire stop to the work. In 1807 he was appointed Professor of Medicine at Montpelier; and in 1810, a chair of Botany was instituted in the same academy, which he was invited to occupy. Under his superintendence, the botanical garden of that city was more than doubled in extent, and the study of botany assumed a degree of importance it had never before possessed. De Candolle quitted Montpelier in 1816, very much to the regret of the students, and of his colleagues, who employed every means in their power to induce him to remain among them: but his country had been restored to liberty, and he was firm in his determination to fix himself in his native city, and devote to its services the remainder of his days. Soon after his return to Geneva he was appointed to the chair of Natural History, an office which had been created expressly that he might occupy it. Among the first of the public benefits which he conferred upon his countrymen was the establishment of a botanic garden. The government of Geneva willingly lent their aid in forming so laudable an institution, in which he was also assisted by a great number of voluntary subscribers. Here, under his auspices, the study of botany attained the highest degree of popularity. The activity and powers of De Candolle's mind were displayed in a multitude of objects of public utility, the furtherance of which ever called forth in him the most lively interest;—whether it was the improvement of agriculture, the cultivation of the fine arts, the advancement of public instruction, the diffusion of education or the amelioration of the legislative code. Feeling deeply of what vast importance to the welfare of mankind it is that sound principles of political economy should be extensively promulgated and well understood by all ranks of men, De Candolle never failed to develope and enforce those principles in his lectures and popular discourses, as well as in his official argricultural reports. As a lecturer, he possessed in an eminent degree the power of imparting to his auditors the enthusiasm which glowed within his own breast for the pursuits of natural history. Complete master of the subject of his discourse, his ample stores of knowledge never failed to supply him with illustrations; and even in his extempore effusions, all his ideas were developed in the clearest order, and explained with singular perspicuity. His chief delight was to afford assistance of every kind to such students as needed it, and in whom he perceived a desire of improvement. His great aim was to inspire and diffuse a taste for the study of botany by rendering it popular among all ranks. His library, which contained the richest collection of works on that subject, and the volumes of his *hortus siccus*, were always open to those who wished to consult them. Often has he been known to discontinue researches which he had commenced, on finding that a similar design was entertained by another person; and he hastened, on these occasions, to communicate to this inquirer his own views on the subject, to place in his hands the materials he had collected, and to put him in possession of the fruits of his own experience. His sole object was the advance of knowledge; and whether this was effected by himself or by others was to him a matter of total indifference. De Candolle had been visibly declining in health for some years before his end. The sudden death of Cuvier had impressed him with the apprehension that a similar fate might be impending; and that he himself might, in like manner, be cut off before he had accomplished the great works in which he was then engaged. He, in consequence, resolved to set aside all other occupations, and concentrate all his efforts in completing those more important designs. During the last year of his life he undertook, with the vain hope of improving his strength, a long journey, in the course of which he attended the scientific meeting held at Turin, where, as might be expected, he met with the most flattering and cordial reception.

10. At Walmer Beach, aged 47, the Most Hon. Maria Marchioness of Bute. She was the eldest daughter and co-

heiress of George Augustus third Earl of Guildford, and his only child by his first wife, Lady Maria Frances Mary Hobart, third daughter of George 3rd Earl of Buckinghamshire. She was married in 1818. By her ladyship's death without issue, the barony of North (created by writ 1554), which fell into abeyance on the death of her father in 1802, has become solely vested in her only surviving sister, Susan, married in 1835 to Capt. John Sidney Doyle.

— At Melville Castle, the Right Hon. Anne Viscountess Melville. She was the daughter and co-heir of Richard Huck Saunders, M.D., and was married to Lord Melville in 1796.

— At the Earl De Grey's villa, on Putney-heath, after a protracted illness of several months, aged 63, the Right Hon. James Edward Harris, second Earl of Malmesbury. His Lordship was the eldest son of James first Earl of Malmesbury, K.B. by Harriet Mary, second daughter of Sir George Amyand, bart. He was born on the 19th Aug. 1778, at St. Petersburgh, where his father was then Ambassador. He received his education at Eton and at Christchurch, Oxford, where the honorary degree of M.A. was conferred upon him in 1798. At the general election of 1802, he was returned to Parliament for the borough of Helstone; which seat he vacated in May 1804, on accepting the office of a Lord of the Admiralty, which he retained until the change of ministry in Feb., 1806. In Oct. 1804, he was again returned to Parliament, as one of the members for Horsham, for which borough he was the second time a candidate in 1806. A double return was made, and a committee of the House declared his Lordship and Lord Palmerston not duly elected. At the general election of 1807, he was chosen for the borough of Heytesbury. In 1812 he was not returned to Parliament, but in 1816 he came in again on a vacancy for the borough of Wilton, for which he afterwards sat in the two following Parliament, until his accession to the peerage. He was appointed Lieut.-Col. of the second Wilts Militia, in 1807, and Governor of the Isle of Wight about the year 1808. On the death of his father, Nov. 21, 1820, he succeeded to the peerage. His Lordship was classed as a member of the Conservative party; and he gave his vote with the majority against the first Reform Bill, which ousted Lord Grey's ministry, in May, 1832. The Earl of Malmesbury married June 17, 1806, Harriet Susan, daughter of Francis Bateman Dashwood, esq.

— At Appin House, near Glasgow, aged 70, Robert Downie, esq., of Appin. Mr. Downie, by trade in the East Indies, acquired an ample fortune. Not long after his return to his native country, he was returned to Parliament in 1820, for the Stirling district of burghs, and was re-chosen at the general election of 1826, but not in 1830. Mr. Downie's knowledge of Eastern affairs made him a very useful member.

14. At Cuckfield, aged 96, Mrs. De Poggi. She was a descendant of the ancient family of Lewis, of Yorkshire, now merged into that of the Earl of Huntingdon. She had known intimately Sir Joshua Reynolds, Garrick, Hannah More, Paoli, &c.

— At Rossmore Lodge, near York, aged 75, James Wharton, esq., a General in the army, a magistrate for the North and East Ridings, and a Commissioner of Taxes.

16. At his house in Myddleton-place, Pentonville, in his 70th year, Mr. T. Dibdin, the dramatic author. His father was the celebrated C. Dibdin, the naval song writer, and author of the "Padlock." He was introduced to the stage in the year 1775, being then only four years of age, in the pageant of Shakspere's "Jubilee," in the character of Cupid, Mrs. Siddons personating Venus on the occasion. He was apprenticed to an upholsterer, but ran away from his indentures and joined a small company of actors, under the management of Mr. Rickland, at Folkestone, in 1789. After six years spent in various theatres, during which time he had performed in every department of the drama, and written more than 1,000 songs, he returned to London in 1795, and after writing a number of dramas for the different minor theatres, all of which had met with success, he was engaged at Covent Garden, in the season of 1799, when his first production was acted, a piece founded on passing events and called "The Mouth of the Nile." For fourteen years he continued a member of that theatre; and amongst his numerous comedies, operas, farces, &c., were, "The Cabinet," "The English Fleet," "Birthday," "Mother Goose," and "The High Mettled

Racer," the former of which produced 20,000*l.*, the latter 13,000*l.*, profit to the theatrical treasuries; "Jew and the Doctor," "Valentine and Orson," and "Past Ten o'Clock," pieces that are expected to keep possession of the stage. It is much to be feared that he died in great indigence. His body was interred on the 21st of Sept., in the burial-ground of St. James's, Pentonville, close by the grave of his old friend Grimaldi.

18. At Nutwell Court, near Exeter, Eleanor, the wife of Sir Trayton Eliot Drake, bart. This lady was the only daughter of James Halford, esq., of Laleham, Middlesex, and married in 1819.

19. At Alwington House, Kingston, Canada, aged 42, his Excellency the Right Hon. Charles William Poulett Thomson, Baron Sydenham, of Toronto, Governor-General of her Majesty's provinces on the Continent of North America. Lord Sydenham, was the eldest son of Mr. J. Poulett Thomson, of Roehampton and Austin-friars, and brother of George Poulett Scrope, esq., M.P. for Stroud, who on his marriage in 1821 assumed the arms and name of Scrope by sign manual. He was born at Wimbledon in 1793. When about twenty, he became resident in St. Petersburg, as the correspondent of his father's firm; and until his accession to public office in 1830 he continued to be connected with the mercantile business. He represented Dover in the House of Commons from 1826 until 1830, when, being returned both for that borough and Manchester, he took his seat in Parliament as member for the latter influential manufacturing town. When, in 1830, Earl Grey formed the Reform Administration, he was appointed Vice-President of the Board of Trade, and Treasurer of the Navy, and was sworn a Privy Councillor on the 23rd of Nov. In July 1834 he became President of the Board of Trade, and resigned with Lord Melbourne's Administration in November following. In April 1835 he resumed that office, in which he continued until he was selected to succeed the late Earl of Durham as Governor-General of Canada. As a Cabinet Minister, Mr. Thomson's efforts were chiefly directed to amendment of the Custom Laws, and the extension of our foreign trade by a more liberal policy. On Lord Seaton's recall from Canada, Mr. Thomson was appointed to the supreme government of British North America. He arrived at Quebec on the 16th Oct., 1839. On the 19th he assumed the reins of government; and soon afterwards visited Montreal and other parts of the country, holding sessions of the then existing Legislatures of Upper and Lower Canada. On the 10th of Aug. 1840, her Majesty was pleased to raise the Governor-General to the Peerage of the United Kingdom, by the title of Baron Sydenham, of Toronto, as a mark of approbation of the manner in which he conducted the important government entrusted to his care. On the 20th of May last, his Lordship, while still in delicate health, left Montreal for Kingston, for the purpose of opening the first session of the United Legislature of Canada, but which, from the alarming character his indisposition had assumed, he was only destined to close by deputation. He was appointed a Knight Grand Cross of the order of the Bath on the 19th of August last. His Excellency, whilst riding near Kingston, on the 5th Sept. met with a fatal accident by the falling of his horse. His right leg was broken, and at the same time a deep and painful wound was inflicted just above the knee. For a short time his Lordship appeared to be recovering from the effects of the accident, but spasms and other unfavourable symptoms appearing, his Lordship composedly made arrangements to meet the exigencies of his high office, and calmly breathed his last, to the great regret of the subjects of the province. Lord Sydenham having died unmarried, his peerage has expired with him.

— Aged 71, William Wyndham, esq., of Dinton, Wilts. Mr. Wyndham was descended in the fifth generation from Sir Wadham Wyndham, the ninth son of Sir John Wyndham, of Orchard, co. Somerset, the ancestor of the Earls of Egremont; which Sir Wadham died in 1668. His father, William Wyndham, of Dinton, esq., died in 1786. His mother was Elizabeth, eldest daughter of Sir Thomas Heathcote, of Hursley Lodge, co. Southampton, bart. Mr. Wyndham married Lætitia, daughter of Alexander Popham, esq., a Master in Chancery; and by that lady, who died Dec. 7, 1837, he had issue six sons and six daughters.

22. At the Palace, Salisbury, aged 29,

Louisa Mary, wife of the Right Rev. Edward Denison, Lord Bishop of Salisbury, and second daughter of the late Henry Ker Seymer, esq., of Hanford, Dorsetshire.

25. Suddenly, of apoplexy, at Corbeil, near Paris, M. Laporte, the well-known manager for twelve seasons of her Majesty's Theatre. M. Jean François Laporte was the son of a French comedian, whose harlequin was in much request at the Paris theatres. His mother was also an actress in the same capital. He first came to London with a French company, upon the speculation of starting French plays in this country, and performed in the little theatre in Tottenham-street, to the great delight of the exclusives and fashionable world, who patronized the novelty, and considered him a very clever comic actor. Possessing quick parts, M. Laporte soon obtained a very competent knowledge of the English language, and sustained English characters upon our own boards with much judgment. From this time his success was great, and he made himself master of some property, by engagements and benefits at various theatres, which accumulated owing to his careful habits. He was esteemed a good representative of the best comic creations of Molière, and by many his fame was co-equally divided with Dowton and Farren, Potier and Perlet. At length, in 1828, Ebers discontinued his unsuccessful management of the Opera-house, and a very keen canvass followed for the hire of the theatre from year to year. Laporte was on this occasion the highest bidder, and conducted the theatre advantageously to himself for four seasons. Having at the close of the season of 1831 realized a good sum, M. Laporte resigned the management, and proceeded to the continent to enjoy the fruits of his success. Mr. Monck Mason then became lessee at the enormous rent of 16,000*l.*, and his speculation proving unsuccessful, M. Laporte again took the house in the ensuing year, and from that time became its faithful manager. That M. Laporte deserved the success he met with, will sufficiently appear from a list of the great *artistes* he was instrumental in bringing before the public:—Pasta, Sontag, Caradori, Malibran, Blasis, Ayton, Curioni, Velluti, Zuchelli, Torri, Galli, Lablache, Santini, Rubini, De Begnis, Paganini, the prince of violinists; Brocard, Albert, Gosselin, Paulini, Coulon, Taglioni, &c. The Grisi, Pauline Garcia, Tamburini, Persiani, and others.

29. At the Green Park Lodge, Piccadilly, aged 80, Frances, widow of Lord William Gordon, and aunt of the Marquess of Hertford. Her ladyship was the second daughter and coheiress of Charles ninth and last Viscount Irvine, a representative peer of Scotland, and was married, March 6, 1781, to Lord William Gordon, second son of Cosmo George third Duke of Gordon, some time Vice-Admiral of Scotland, and M.P. for the counties of Elgin and Inverness. He was appointed Deputy Ranger of St. James's and Hyde Parks, the 13th Feb. 1778; and the official residence, or lodge, in Piccadilly, has been occupied by his widow until her death.

— At Leith Fort, Lieut.-Col. David Story, 7th battalion, commanding officer of the royal artillery in North Britain. He was at the blockade and capture of Malta, 1800; at the capture of the Danish Islands St. Croix and St. Thomas: at the bombardment and capture of Fort Dessaix, Martinique, in February, 1809; and at the capture of Guadaloupe, in February, 1810.

30. At Shirley, James Penn Buck, esq., formerly of New Inn, and Upper Berkeley-st., and late of North Lodge, Ripon, Yorkshire.

Lately. At Caermarthen, aged 64, Miss Eugenia Morgan, eldest and last surviving daughter of the late Charles Morgan, esq., of Furnace House, in that town; a descendant of John Vaughan Earl of Carberry, and of the Morgans of Tredegar.

— At Arbuthnot House, the Hon. Jean Arbuthnot, sister to Viscount Arbuthnot.

— At Farfield House, near Addingham, of rheumatic fever, in his 32nd year, William Cunliffe Lister, esq., a barrister-at-law, and M.P. for Bradford. He was a son of Ellis Cunliffe Lister, esq., of Manningham Hall, late M.P. for the same town, by his first wife, Ruth Myns, niece and heiress of S. Lister, esq. He was a member of Christ's College, Cambridge; and was called to the bar at Lincoln's Inn, Nov. 18, 1834. He went on the Northern Circuit, and was held in great estimation among his brethren at the bar for his amiable and excellent qualities.

OCTOBER.

2. In Argyll-street, after a protracted illness, Mr. James Fraser, the founder and publisher of Fraser's Magazine.

— At his Hotel in Paris, Honoré Grimaldi, Sovereign Prince of Monaco, Duke of Valentinois in France, Peer of France, Grandee of Spain of the first Class, and a Noble of Genoa. The Prince was in the 68th year of his age, and succeeded to his father, the Prince Honoré IV., in 1819, and is succeeded by his brother, Count Florestan Grimaldi, now Prince Florestan I. In the Gentleman's Magazine for December 1832, is an account of many members of this family; and in that for October 1834, is an account of a long-continued litigation between the Grimaldis of Antibes and the Princes of Monaco, for the right to this ancient principality. The late Prince's mother was a daughter of the Duke d'Aumont and Mazarin. His father, Prince Honoré IV., suffered greatly by the French Revolution, being long confined in prison; his Princess, from whom he had been divorced, perished by the guillotine in 1794. His beautiful castles of Monaco and Mentoni, and his fine chateau at St. Lo, on the road to Cherbourg, are still in ruins. This small principality has been in the possession of the house of Grimaldi (sprung from Grimoald, great-uncle to Charlemagne), from the tenth century, having been granted to them by the Emperor Otho I. in the year 920. It is surrounded by the states of the King of Sardinia, and the Mediterranean, and has only a surface of twenty-one and a half square miles, and a population of six or seven thousand inhabitants.

4. At Cheshunt, Herts, William Harrison, esq., Queen's Counsel, a Bencher of the Inner Temple, Counsel to the Treasury and the War Office, and Attorney-General for the Duchy of Cornwall.

7. At Rockingham Castle, aged 56, the Right Hon. Frances Viscountess Lorton, only daughter and heiress of Laurence first Earl of Ross by Lady Jane King (aunt to Viscount Lorton), and eldest daughter of Edward first Earl of Kingston.

— At Brighton, after a protracted illness, aged 32, the Right Hon. Frederick John Monson, fifth Baron Monson, of Burton, co. Lincoln (1728), and the ninth Baronet, of South Carlton, co. Lincoln (1611). His Lordship was born on the 3rd Feb. 1809, the only child of John George fourth Lord Monson, by Lady Sarah Elizabeth Savile, eldest daughter of John second Earl of Mexborough, and succeeded to the peerage in his infancy, on his father's death, on the 14th November following. Lord Monson was matriculated of Christ Church, Oxford, March 31, 1827, and resided for some time at that university, being subsequently admitted to the honorary degree of Doctor in Civil Law at the installation of the present illustrious Chancellor.

8. At Stutgard, after a short illness, in his 84th year, John Heinrich Dannecker, the sculptor. He was born at Stutgard, on the 15th of October 1758, of poor parents. Having early shown a predilection for the plastic arts, by a personal application to Duke Charles of Wurtemburg, in whose stud his father was employed, he succeeded in gaining admission, in 1771, to the military artistical academy at the "Solitude," a royal castle near Stutgard, where pupils were instructed free of expense in music, painting, and sculpture, and in his sixteenth year carried off the prize for a model of Milo of Cortona. He next executed the Caryatides and other statues which at present adorn parts of the royal residence at Stutgard. While studying in this academy he made the acquaintance of his fellow-townsman Schiller, and of this friendship a lasting monument remains in the statue, which he afterwards took from life, of the illustrious poet. He left the academy in 1780, at the same time as the poet, and attained the situation of Court sculptor, with the paltry salary of 300 florins, or about 25*l.* per annum. The following year he was permitted to visit Paris, receiving, however, no further pecuniary assistance than that his salary was raised, in the second year of his absence, to 400 florins. At Paris he met with the sculptor Scheffauer, and became the pupil of Pajou, devoting himself more to the study of nature than that of the antique models. In 1785 he left Paris with Scheffauer, with whom he travelled to Rome, where he became known to the immortal Canova, whose friendly instruction had a very beneficial influence on the youthful artist. While at Rome he made the acquaintance of Goëthe and Herder, then residing there in order to become acquainted with the stores of art which were contained in

the Papal capital. Whilst in Italy, his excellent marble statues of Ceres and Bacchus raised him to a greater reputation, and caused the academies of Milan and Bologna to choose him a member of their bodies. He subsequently returned to Stutgard, and was engaged for a long time modelling various subjects for Duke Carl. It was not till 1796 that he again began to work in marble, when he executed his celebrated Sappho, the original of which is now at Monrepos. After this and other ideal efforts he turned his attention to the taking of busts, and executed that of Schiller before alluded to, a colossal copy of which graced his atelier, with which he would never part. The then Crown Prince of Bavaria, now King Louis, employed him in various works, among which his bust of the celebrated composer Gluck is one of the most remarkable. The performance by which he is most known to the English lover of art is his Ariadne as the bride of Bacchus, borne on a panther, which is to be seen in the house of the banker Bethman, of Frankfort. His Eros, at the moment that Psyche is pouring on his shoulder drops of burning oil, according to the well-known myth of Apuleius, is also a beautiful piece of design. His best bust is supposed to be that of the physiognomist Lavater. But the *chêf-d'œuvre* of the artist is his statue of Christ, for the idea of which he is said to have been indebted to a nocturnal dream. The completion, which took place in 1824, cost him eight years of study and labour. It was sent to the Empress Maria Feodorouna, of Russia, who afterwards made a present of it to the Emperor Alexander. The successful manner in which he succeeded in exhibiting Christ as the Mediator, and the divine expression which he imparted to the forehead of the statue, have often been the theme of praise. Thorwaldsen, who saw the model in the artist's workshop, expressed his opinion that the design of representing the Saviour as fully clothed would be a failure; undeterred by this, however, Dannecker maintained his original idea, deeming this the most fit manner of treating the subject, and he succeeded in giving to the flowing drapery which envelopes the form a degree of lightness and truth seldom witnessed. For some time before his decease, Dannecker had ceased to employ his chisel, extreme age having deprived his intellect of its pristine vigour.

9. Of disease of the heart, Dr. Robt. Cowan, Professor of Medical Jurisprudence in the University of Glasgow.

10. At Vine House, near Seven Oaks, aged 78, the Right Hon. Sir John Bayley, bart., formerly a Justice of the King's Bench, and late a Baron of the Exchequer. This estimable and learned judge, who was for twenty-five years one of the highest ornaments of the Bench, was the son of John Bayley, esq. of Elton, in Huntingdonshire. Sir John Bayley was called to the Bar, by the Hon. Society of Gray's Inn, June 22, 1792, and appointed a Serjeant-at-Law in Trinity Term, 1799. While at the bar he attended the Home Circuit, and was for some time Recorder of Maidstone. He was made one of the Justices of the King's Bench in Easter term 1808, and knighted on the 11th of May. Judge Bayley's work, entitled "The Summary of the Law of Bills of Exchange," has been a standard book in the profession for years, and of inestimable service to the commercial world. He was also the editor of the fourth edition of Raymond's "Reports of the King's Bench and Common Pleas," published in three vols. 8vo. 1790. In Nov. 1830, Sir John Bayley was removed, at his own request, from the Court of King's Bench, where he had sat for twenty-two years, to the post of a Baron of the Exchequer. On his retirement from the Bench, he was sworn a member of the Privy Council, March 5, 1834, and created a Baronet by patent dated the 15th of the same month. Sir John Bayley married, on the 20th May, 1790, the youngest daughter of John Markett, esq., of Meopham Court Lodge, Kent.

— At Kippax, Yorkshire, aged 77, the Hon. and Rev. Archibald Hamilton Cathcart, Vicar of that parish, Rector of Methley, and a Prebendary of York, brother to Earl Cathcart. He was the fourth and youngest son of Charles ninth Lord Cathcart, by Jean, second daughter of Lord Archibald Hamilton, and grand-daughter of William fourth Duke of Hamilton.

— At Berlin, in his 61st year, Karl Frederick Schinkel, the most eminent architect of Prussia. Schinkel was born at Neuruppin, in 1781, and received his early education in the Gymnasium of his native town, until the age of fourteen, when the family removed to Ber-

lin. Having manifested a decided taste for drawing and designing, he there became a pupil of the elder Gilly, the architect, and afterwards of the son, Professor Gilly. Having diligently studied his profession in Italy and France, he distinguished himself so highly by his designs, that in 1810 he was appointed *assessor* of the *Bau-deputation*, or Board of Works and Buildings, his duty being to give advice upon matters of taste. The restoration of peace is the epoch from which Schinkel's career as an architect may be dated. His talents were then called into play, and important opportunities afforded them, almost uninterruptedly, for a series of years, during which he erected most of the finest of the public structures which now grace Berlin and Potsdam, besides numerous others for private individuals. Among the most successful of his works in the capital are the large Theatre, the Wacht-gebaude, or Guard-house, and the Museum; the Warder Church, Bauschule (or School of Architecture), Observatory, &c.

— At Burwood House, Surrey, in his 80th year, Admiral Sir Thomas Williams, G.C.B. This very distinguished officer entered the navy at a very early age, and was made post in 1790, and commanded successively the *Otter*, *Hoop*, the *Lizard*, 28, the *Dædalus*, and *Unicorn* frigates, and was very active in capturing the enemy's privateers. On the 8th June, 1796, the *Unicorn* being off Scilly, in company with the *Santa Margarita* frigate, chase was given to two large French frigates and a corvette. The *Tamise*, of 42 guns, was taken by the *Santa Margarita*, then commanded by the late Admiral Sir Thomas Byam Martin. The other French frigate was taken, after an arduous chase and gallant action, by the *Unicorn*, and proved to be *la Tribune*, pierced for 48 guns, but having only 44 mounted, and 339 men, thirty-seven of whom were killed, and fifteen, including the commodore, wounded. The crew of the *Unicorn* at the time of the action did not exceed 240, of whom not a man was hurt. For this gallant achievement, Captain Williams was knighted by King George the Third, in June 1796. On the 7th Jan. 1797, Sir Thomas Williams assisted at the capture of *la Ville de l'Orient* frigate, armed *en flute*, employed in the conveyance of troops, and having on board 400 hussars. In the summer of the same year he was appointed to the command of the *Endymion*, a frigate of the largest class, stationed in the North Sea. On the 13th October following, he made a spirited attack upon the *Brutus*, a Dutch line-of-battle ship, bearing the flag of a rear-admiral, which had escaped from the battle of Camperdown, and was then lying at anchor, near the heights of Hinder. The action was renewed the next day, when he had been joined by the *Beaulieu*, but the *Brutus* sought refuge in the Maese. Sir T. Williams subsequently commanded a squadron of frigates, stationed at the entrance of St. George's Channel. On the 21st June, 1798, he co-operated with the military force in their attack upon Wexford, where he destroyed about 100 large boats and vessels, which the rebels had collected for their escape. The captures made by Sir T. Williams, when in the *Unicorn* and *Endymion*, amounted to fifteen privateers, &c. mounting in the whole 150 guns, and carrying about 900 men. In the spring of 1801, Sir Thomas was removed into the *Vanguard*, of 74 guns, and after the battle of Copenhagen, sailed to reinforce the fleet in the Baltic; whence he returned in the ensuing autumn, and was employed in the blockade of Cadiz. In 1803 he commanded the *Neptune*, 98, employed in the blockade of Ferrol, which he quitted in 1805. In 1808 he accompanied Sir John T. Duckworth to the West Indies, in pursuit of a French squadron, and on the 28th of April of that year, he was appointed a Colonel of the Royal Marines. In 1809 Sir Thomas Williams was appointed a Rear-Admiral, and between that period and 1811 he hoisted his flag successively in the North Sea, at Lisbon, and in the Channel fleet. He was then appointed Commander-in-Chief at the Nore, where he remained for the customary period of three years. He became Vice-Admiral 1814, and Admiral 1830; was nominated a K.C.B. on the enlargement of that order, Jan. 2, 1815, and advanced to the grade of a G.C.B. 18..

11. At Clifton, the Rev. William Liddiard, M.A., late Rector of Knockmark, Meath, and for many years resident at Bath. He was the author of "The Life Boat; or, Dillion O'Duire, a Poem," 1815. "Mont St. Jean, a Poem," 1816. "The Legend of Einsidlin, a Tale of Switzerland, with poetical Sketches of Swiss Scenery,"

12mo. 1829. "A Three Months' Tour in Switzerland and France," 8vo. 1832. "Retrospection; or, the Light of Days gone by, and other Poems," 12mo. 1840.

12. At his residence, Boston House, New Brentford, in the 75th year of his age, James Clitherow, esq., for forty-five years Colonel of the West Middlesex militia, and a Deputy-Lieutenant of the county of Middlesex.

16. At the palace, Kilmore, in his 77th year, and in the 40th year of his episcopacy, the Right Rev. George de la Poer Beresford, D.D., Lord Bishop of Kilmore and Ardagh; uncle to the Lord Archbishop of Armagh, and great-uncle to the Marquess of Waterford. The Bishop of Kilmore was born on the 19th July 1765, the second son of the Right Hon. John Beresford (second son of Marcus first Earl of Tyrone), by his first wife Anne Constantia, daughter of the Count de Ligondes. He was nephew to William de la Poer Beresford, D.D., Lord Archbishop of Tuam, created Baron Decies in 1812. The first dignity held by Dr. Beresford was the deanery of Kilmore. He was consecrated Bishop of Clonfert in 1801, and in the following year translated to the see of Kilmore. Dr. Beresford married Frances, daughter of Jervis Parker Bush, esq., of Kilfane.

— At his residence in Bryanston-square, Lieut.-Gen. Sir Joseph Fuller, G.C.H., Colonel of the 75th Foot. He entered the army in Aug. 1792, at an early age, as Ensign in the 2nd Foot, when he served in Flanders, and was present at the sieges of Valenciennes and Dunkirk, and all the actions of that campaign. During the rebellion in Ireland, when Capt. Fuller, he was actively engaged; and, after the pacification of that country, he went in the expedition to the Helder, and took part in all the principal engagements. He eminently distinguished himself throughout the Peninsular war, under Sir John Moore and the Duke of Wellington, particularly at the passage of the Douro on the 12th May, 1809, and at Talavera, where he was in the command of the Coldstream Guards; and for his services at that brilliant victory he received a medal. He attained the rank of Lieut.-General in 1825. He was appointed Colonel of the 75th Regiment in 1832. For many years Sir Joseph was Chairman of the Board of General Officers, which office he was obliged to resign on account of his ill-health.

21. At Washington, aged 60, the Hon. John Forsyth, late Secretary of the United States, under Mr. Van Buren's administration. Mr. Forsyth was born at Fredericksburg, in October, 1781. He graduated at Princeton College in 1799. He entered the practice of law at Augusta, Georgia, in 1802. Soon after he was appointed Attorney-General of the State, and rapidly rose to distinction. In 1812 he was elected a representative in Congress. From 1814 to 1818 he was Chairman of the Committee of Foreign Affairs, in which position he sustained Mr. Madison and the war with Great Britain. In 1818 he was elected a member of the United States Senate, where he took his seat in November of that year. In 1819 he was appointed Minister to Spain, where he became involved in the controversy in relation to our treaty with that country, settling differences, ceding the Floridas, &c., which lasted until October, 1820. With the exception of a brief visit to the United States, he continued at Madrid until 1823, when he returned to his native country; and having in the meantime been re-elected to Congress, he resumed his seat in the House of Representatives in December of that year, and was restored to the Chairmanship of the Committee of Foreign Affairs, which he continued to occupy as long as he remained in that body. In October 1827, he was elected Governor of Georgia. After filling that post for two years, he returned to Washington as senator of the United States, in place of Mr. Berrien; that post he filled from 1829 until the summer of 1834, when, on the resignation of Mr. M'Lane as Secretary of State, Mr. Forsyth was called to that department by President Jackson. That office he filled during the residue of General Jackson's term, and continued to hold it until the close of Mr. Van Buren's administration, when he was succeeded in office by Mr. Webster.

22. At the Hirsel, near Coldstream, co. Berwick, the Right Hon. Alexander Ramey Home, tenth Earl of Home and Lord Douglas (1604-5), and fifteenth Lord Home (1473); Lord-Lieutenant and Sheriff Principal of Berwickshire, Colonel of the Berwick, Haddington, Linlithgow, and Peebles Militia. He succeeded to the peerage whilst still in

his minority, on the death of his father, Oct. 8, 1786. In 1807, he was chosen one of the sixteen Representative Peers of Scotland, and retained that honour until his retirement at the late general election. His Lordship married, Nov. 9, 1798, Lady Elizabeth Montagu Scott, second daughter of Henry third Duke of Buccleuch, and by that lady, who died June 29, 1837, he had issue three sons, of whom the eldest only survives.

— At his apartments in the Charterhouse, aged 67, Robert Bissett Scott, esq., a writer on military jurisprudence and a military advocate, who had practised with considerable success on various courts-martial.

23. At Brighton, in his 55th year, the Hon. Sir James Ashley Maude, knt., C.B. and K.C.H., &c., a Captain R.N., brother to Lord Viscount Hawarden. He was born on the 6th Nov. 1786, the fourth son of Cornwallis first Viscount Hawarden. He entered the navy at an early age, and when midshipman, in 1800, served on board the *Minotaur* at the capture of Genoa, and in the following year was present at the taking of three frigates near Leghorn. In March 1805, he obtained a Lieutenancy, in which capacity he ably distinguished himself, in Sir Richard Strachan's action, in the succeeding November, on board the *Namur*, 74. When under Lord Collingwood, in the *Ville de Paris*, he served in her boats with eminent gallantry at the destruction of a French convoy in the Bay of Rosas in 1809, on which occasion he was wounded, and subsequently was promoted for the daring bravery he evinced during that hot encounter. His commission of Commander was dated Oct. 22, 1810; and on the 15th Feb. 1812, he was appointed to the *Nemesis*, 28, in which, during the American war, he was actively employed. He was promoted to post rank March 11, 1814, and subsequently appointed to the *Favourite*, 20, in which he brought home the treaty of peace between the United States and this country. In 1825 he was appointed to the *Glasgow*, 50, in which he conveyed Lord Strangford to Cronstadt, and afterwards was engaged at Navarino, under Sir Edward Codrington; and, as a reward for the services he rendered on that occasion, he received the orders of the Redeemer of Greece, St. Anne of Russia (second class), and the Cross of St. Louis of France. He was nominated a Companion of the Bath in Nov. 1827, and a Knight Commander of the Hanoverian Order of the Guelphs, in Jan. 1836. Sir Ashley Maude married, in 1817, Albinia, second daughter of the late Most Rev. Charles Brodrick, Lord Archbishop of Cashel, sister to the Countess of Bandon, and cousin to Lord Viscount Midleton.

— At Hampton Court Palace, aged 82, Charlotte, Dowager Lady Brooke Pechell, second daughter of General Sir John Clavering, bart., and K.B., by Lady Diana West, daughter of John first Earl of Delawarr.

— At Basle, George Frederick Beltz, esq. Lancaster Herald, Gentleman Usher of the Scarlet Rod and Brunswick Herald of the Order of the Bath, Knight of the Royal Hanoverian Guelphic Order, and F.S.A. Mr. Beltz was for many years in the office of Sir Isaac Heard, Garter King of Arms, who in July 1814 resigned in his favour the office of Gentleman Usher of the Scarlet Rod of the Order of the Bath, to which is annexed that of Brunswick Herald. He was appointed Portcullis Pursuivant on the 22nd May 1817, and promoted to be Lancaster Herald on the 4th June 1822. He was honoured with the knighthood of the Guelphic Order in 1836. Mr. Beltz was highly distinguished in this peculiar science, and a very diligent antiquarian. He published several treatises on Archæological subjects, and "Memorials of the Order of the Garter," a work not only of great critical research in the history and ambiguities of that illustrious order, but filled with biographical details of great curiosity and interest.

25. In the Close, Winchester, aged 73, the Rev. George Frederick Nott, D.D., F.S.A., senior Prebendary of the Cathedral, and Rector of Harrietsham and Woodchurch, Kent. Dr. Nott was the son of the Rev. Samuel Nott, M.A. of Worcester College, Oxford, a Prebendary of Winchester, and Rector of Houghton, Hants. He entered the University of Oxford as a member of Christ Church, and, having distinguished himself as a classical scholar, was elected a Fellow of All Souls. He proceeded M.A. 1792, B.D. 1802, D.D. 1807. He obtained considerable celebrity by his Sermons, preached at the Bampton Lecture in 1802, which, when printed, were dedicated to the King; and, after this introduction, he obtained the situation

of Sub-preceptor to her Royal Highness the Princess Charlotte of Wales. He became a Prebendary of Winchester in 1810. Dr. Nott distinguished himself as an elegant scholar, by his edition of the Poems of the Earl of Surrey and Sir Thomas Wyatt, and several clerical treatises.

29. At the Hartford station, near Northwich, on the Grand Junction Railway, Mr. Thomas Philipps, an eminent vocalist. Mr. Philipps was the son of a gentleman of Monmouthshire of good fortune, and was originally intended for the army, and then for the bar; shewing, however, a strong inclination for a theatrical career, on the 16th May, 1796, he made his *début* at Covent Garden Theatre, in Phillippe, in "The Castle of Andalusia," for Mrs. Mountain's benefit, and met with so flattering and brilliant a reception, that he henceforward determined to become a public singer and professor of music. From this moment he devoted himself to a theatrical career, and performed the leading characters in many popular English operas. Having an ample private fortune, he at length retired from the stage, and devoted himself to teaching youthful aspirants to operatic fame, and several very distinguished vocalists have appeared under his auspices. Mr. Philipps' death was owing to a railway accident; having accidentally slipped while stepping into a carriage, the wheel passed over his leg; the wound did not appear to be serious, but Mr. Philipps' constitution gave way under the shock.

— At Woolwich, Lieut.-Colonel Sir Francis Geary Gardener Lee, knt., K.C.T. Sir Francis was present at Copenhagen, at the siege of Cadiz, and various affairs of boats in the East Indies and on the French Coast, and received the honour of knighthood from King William IV. Oct. 31, 1832. He was also a Knight of the Order of Charles the Third of Spain.

Lately. At Calton-hill, Edinburgh, aged 82, Mrs. Maclehose, widow of Mr. A. Maclehose, writer, of Glasgow, well known to a large circle as the Clarinda of Burns.

NOVEMBER.

7. At Clifton, Robert James Harrison, esq. of Oak Lodge, Elmsworth, Hants, magistrate for the counties of Hants and Sussex.

13. In the Hackney-road, George Bennett, esq., the well-known traveller with Dr. Tyerman, and author of several works of high literary merit.

— At Brighton, aged 31, George Bush, esq., Civil Engineer, and principal engineer of the Taff Vale Railway Company. He was the youngest son of Richard Bush, esq., of Brighton, and was a pupil of the late John Rennie, esq.

14. At Blickling Hall, Norfolk, the seat of his aunt the Dowager Lady Suffield, aged 45, the Most Hon. John William Robert Kerr, seventh Marquess of Lothian, Captain of the Yeomen of the Guard, Lord Lieutenant of Roxburghshire, Colonel of the Militia of the City and County of Edinburgh, &c. &c. On the formation of the present Ministry, Marquess of Lothian was appointed Captain of the Yeomen of the Guard, and announced in the Gazette of the 8th of September; but his Lordship had not entered upon his duties at the Palace since he received the appointment. The Marquess married, July 19, 1831, Lady Cecil Chetwynd Talbot, only surviving daughter of the present Earl Talbot.

— At Paris, aged 75, the Right Hon. Thomas Bruce, seventh Earl of Elgin (1633); a Representative Peer of Scotland; a Privy Councillor; a General in the Army; General of the Royal Archers of Scotland; a Family Trustee of the British Museum; President of the Society of Antiquaries of Scotland; Knight of the Crescent, &c. &c. His Lordship succeeded to the peerage in his fifth year, on the death of his elder brother William Robert, who had possessed the titles only two months. He was educated at Harrow and Westminster schools, and at the University of St. Andrew's, and entered the army in 1785; and attained the rank of Colonel in 1802; of Major-General in 1809; Lieut.-General in 1814, and General in 1837. His Lordship commenced his diplomatic career in 1790, by a special mission to the Emperor Leopold, whom he accompanied on a tour to his Italian states the following year. When the British embassy quitted Paris in 1792, his Lordship was appointed Envoy-extraordinary to the Court of Brussels; and when the French armies occupied the Netherlands in the winter of 1792, he was employed, first at the Court of the Elector of Hesse Cassel, and then with the Prussian army during their active operations in

the beginning of 1793, in Germany. He was attached to the Austrian forces until the final evacuation of the Low Countries in 1794. His Lordship received the appointment of Envoy-Extraordinary and Minister-Plenipotentiary to the Court of Berlin, 1795; was sworn a Privy-Councillor, 3rd of July, 1799; and, the same month, constituted Ambassador-Extraordinary and Minister-Plenipotentiary to the Sublime Ottoman Porte, where he continued till the French were finally driven out of Egypt. On this occasion he was invested with the Turkish order of the Crescent. While proceeding on his embassy, Lord Elgin made preparations, on an extensive scale, for rescuing the remains of Grecian art from destruction and oblivion, and, availing himself of the opportunities his station enabled him to command, he succeeded in forming from Athens, and other places in Greece, a complete collection of architectural measurements; plans and elevations of the existing monuments; delineations of sculpture; moulds and casts; many statues, bas-reliefs, funeral-stones, vases, specimens of architecture, and fragments, executed in the best periods of Athenian excellence. These, added to a valuable collection of Greek medals, and a very curious series of inscriptions, beginning with the famous Boustrophedon, which Lord Elgin was so fortunate as to procure at Cape Sigæum, on the plain of Troy, containing specimens of all the variations in the Greek alphabet, were brought safe to England. Some negociations with Government for the purchase of this collection by the country, which took place during Mr. Perceval's administration, were fruitless; but in 1816, the Chancellor of the Exchequer moved the appointment of a Committee of the House of Commons to examine and report upon them, and it was agreed in a Committee of Supply, by a majority of eighty-two to thirty, that the Marbles should be purchased for 35,000*l*. They were accordingly taken to the British Museum, and deposited in a temporary room erected for their reception. It was at the same time arranged that the Earl of Elgin and his heirs should be included among the family trustees of that establishment. His Lordship married, first, at Archerfield, March 11, 1799, Mary, only child of William Hamilton Nisbet, of Dirleton, and Belhaven, co. Haddington, which marriage was dissolved by Act of Parliament in the year 1808. His Lordship married, secondly, at Dunnikier, September 21, 1810, Elizabeth, youngest daughter of James Townshend Oswald, esq., of Dunnikier, in Fife, M.P. for that county from 1775 to 1779, and afterwards Auditor of the Court of Exchequer in Scotland.

19. At his residence, Belmore, near Cuckfield, Sussex, aged 78, Admiral Sir John Wells, G.C.B. He had been in the navy upwards of sixty-five years, for his commission as Lieutenant was dated in 1779. When Captain, he was appointed in 1797 to the *Lancaster* 64, and, under Lord Duncan, contributed to the defeat of the Dutch fleet, commanded by Admiral de Winter; and for his eminent services on that occasion (the victory of Camperdown) he received the distinction of a medal. In May, 1820, he was nominated a Knight Commander of the Bath, and in Oct. 1834, a Knight Grand Cross.

21. At Sydenham, after an illness of seven weeks, aged 62, John Rivington, esq., the senior partner in the well-known firm of Messrs. Rivingtons, booksellers, of St. Paul's Churchyard, and Waterloo Place. In the former situation the family have been established as booksellers for considerably above a century. In 1725 we find Mr. Charles Rivington publishing, with others, Mason's "Vindication of the Church of England." With the Church Establishment, and particularly as booksellers to the Society for Promoting Christian Knowledge, the house of Rivington have ever since been closely connected. Mr. Charles Rivington (we believe the founder of the house as booksellers) died February the 22nd, 1742. His son, John Rivington, esq., died January the 16th, 1792, aged 73. Francis Rivington, esq., eldest son and successor of John, died October the 18th, 1822, aged 77. Charles Rivington, esq. (brother and partner of Francis) died May the 25th, 1831, aged 76. The subject of this notice was elected on the Court of the Stationers' Company in the autumn of last year, after having been for a long period a very efficient member of the Stock Board. With this respectable Company the family of Rivington have been more intimately connected than any other on record. His grandfather, John, was master in

1775; his father, Francis, was master in 1805; his uncle, Charles, was master in 1819; his uncle, Henry, was for many years Clerk of the Company, and on his death in 1829, was succeeded by Charles Rivington, esq. (son of Mr. Charles Rivington), the present Clerk. Mr. Rivington married, September the 24th, 1811, Miss Blackburn, who is left his widow, and by whom he had an only son, John, his successor in the firm. The amiable and mild disposition of Mr. Rivington had secured to him the love and esteem of all who knew him, and will cause his death to be generally regretted by his numerous friends.

24. Suddenly, when out hunting, (see Chronicle), at Bramham, co. York, in his 74th year, the Right Hon. Henry Lascelles, second Earl of Harewood and Viscount Lascelles (1812), and third Baron Harewood, of Harewood, co. York (1796); Lord Lieutenant and Custos Rotulorum of the West Riding of Yorkshire, Steward of the Halmote Court of Allertonshire, &c. His Lordship was born on Christmas-day, 1767, the second son of Edward the first Earl, by Anne, daughter of William Chaloner, esq. Although, from his early youth, strongly attached to a country life, he has, throughout his long career, taken a prominent part in public affairs. At the general election of 1796, he succeeded Henry Duncombe, esq. as one of the Members for Yorkshire, his elder brother, Edward Viscount Lascelles, having already a seat in Parliament for Northallerton. He was a frequent speaker in the House, and in 1802 he seconded the motion for the election of Mr. Speaker Abbot. He had been re-elected for Yorkshire in 1802; but in 1806 it was judged expedient that he should give way to the Whig candidate, Mr. Walter Fawkes. At the general election in the following year, occurred the memorable contest for Yorkshire, the first that had been attempted for sixty-six years. The other candidates were, the late Mr. Wilberforce, in the Tory interest, and the present Earl Fitzwilliam, then Lord Milton, on that of the Whigs. The struggle lasted for fifteen days, when Mr. Lascelles was beaten by a small majority; the numbers being, for

Mr. Wilberforce . .	11,806
Lord Milton . . .	11,177
Hon. H. Lascelles .	10,989
Walter Fawkes, esq.	2

Mr Lascelles shortly after came into Parliament for the borough of Westbury. In October 1812, he was elected for Pontefract. On the 11th of the same month, Mr. Wilberforce having retired, he was elected for the county of York, by the unsolicited suffrages of the freeholders, having Lord Milton for his colleague. He withdrew from the representation of the county at the general election of 1818, and on the 2nd of June in that year he was chosen for Northallerton. He succeeded to the Earldom in 1820. His parliamentary services as a commoner were of the most effective kind; for, independently of his just influence with the government of the day, his attention to business was unremitting, and the soundness of his judgment was as conspicuous as his industry. In 1819, when the late Earl Fitzwilliam was deprived of the Lord-Lieutenancy of the West Riding, on account of partisan politics, the Earl of Harewood succeeded to that influential position, and retained it to his death. He succeeded to the Peerage on the death of his father, April the 3rd, 1820. As a Peer of the realm, the noble Earl, though firm in his constitutional and conservative principles, belonged to what may be termed the middle or moderate party. His sound sense, and extensive practical knowledge, even more than his wealth and station, gave him great weight in the House of Peers, and with the government for the time being. On various occasions he interposed advice which was deferentially listened to and followed; more particularly with reference to the Bill of Pains and Penalties against Queen Caroline, which was carried by a majority of nine; but further proceedings were abandoned at the suggestion of Lord Harewood, whose views were supported by other noble Peers of similar standing and moderation. His Lordship married, September the 3rd, 1794, Henrietta, eldest daughter of the late Sir John Saunders Sebright, bart., and by that lady, who survives him, he had issue seven sons and four daughters.

25. At Eccleston-street, Pimlico, Sir Francis Chantrey, knt., R.A., a Member of the Academy of St. Luke's at Rome, D.C.L. Oxford, M.A. Cambridge, F.R.S. London and Edinburgh F.S.A., and M.G.S. Francis Chantrey was born on the 7th of April, 1781, at Norton, a

pleasant village about four miles south of Sheffield. His father was a carpenter, who rented a few fields, and appears also to have possessed some trifling landed property; he died when his son was about eight years of age, and his widow married again. Various anecdotes are current of juvenile exhibitions of young Chantrey's genius; but it seems that the earliest design of his friends was to place him apprentice to a grocer! Chantrey, however, avoided this misapplication, and was apprenticed, at his own request, to Mr. Ramsey, of Sheffield, who followed the more congenial trade of a carver and gilder. While serving his time to Mr. Ramsey, Chantrey fortunately attracted the notice of Mr. John Raphael Smith, a mezzotint engraver and portrait painter, who perceiving the young artist's devotion to the study of drawing and modelling, gave him some instructions, which proved of great service to his subsequent career; and Chantrey perpetuated his gratitude in after years, by a beautiful bust. His master, however, fearing that these probably would interfere with his duties as an apprentice, did not forward his pursuits; and Chantrey passed his leisure hours in a small room which he hired for a few pence per week, and converted into his studio. In April, 1802, when only twenty years of age, Chantrey advertised in Sheffield to take portraits in crayons; as in October, 1804, he announced that he had "commenced taking models from the life." Several specimens of his talent, both in chalk and in oil, remain in the town, most of them rather prized for the subsequent celebrity of the artist, than as striking likenesses. Several years afterwards, when, having improved himself at the Royal Academy, he returned to Sheffield, he modelled four busts of well-known characters there, as large as life, namely, the Rev. James Wilkinson, Dr. Younge, Mr. Wheat, and Mr. Hunt, a painter, and afterwards the head of Dr. Chorley, of Doncaster. These were such masterly performances, that when it was resolved to erect a monument to the memory of the Rev. James Wilkinson, and Chantrey (though he had never yet lifted a chisel to marble) had the courage to become a candidate for the commission,—it was readily entrusted to him by the committee. This assuredly was the most interesting crisis of the artist's life,—the turning point that should decide the bias of his future course. Having employed a marble-mason to rough-hew the bust, he commenced the task, which was successfully achieved, and this very interesting work may now be seen in Sheffield church. His first exhibited work on the walls of the Royal Academy was in 1804, when he sent for exhibition a "Portrait of D. Wale, esq," and in 1805 he exhibited at the Academy, in that year, three busts—of a Gentleman; of W. Younge, M.D., F.L.S.; and of the Rev. J. Wilkinson, late Vicar of Sheffield. In 1806, he exhibited a bust of Bigland, the essayist; and in 1809 he received his first order, from Mr. Alexander, the architect, for four colossal busts, of Howe, St. Vincent, Duncan, and Nelson, for the Trinity House, and for the Greenwich Naval Asylum. Sir Francis married in 1809, at Twickenham Church, his cousin Mary Ann Wale, who survives him; but the illustrious sculptor had no issue. Sir Francis acquired an ample fortune, which he bequeathed, in a most munificent manner, for the advancement of the Arts. A copy of his Will is given below.* In 1810 he executed a bust of

* Will of Sir Francis Chantrey.—I, Sir Francis Chantrey, of Lower Belgrave Place, Knight, Sculptor, Member of the Royal Academy of Arts in London, and D.C.L. in the University of Oxford, hereby revoke all wills, codicils, and other testamentary dispositions heretofore made by me, and declare this to be my last will and testament: first, I direct that my body be interred in my vault in the churchyard of Norton, in the county of Derby. I give and bequeath unto each of my executors, hereinafter named, who shall act in the execution of this my will (except my wife, who is an executrix) the sum of 2,000*l.* sterling, free from legacy duty. And I give and bequeath all my household furniture, books, pictures, drawings, plate, linen, glass, wines, and other liquors, and my carriages and horses, models, and casts, not by this my will, or by any codicil or codicils thereto given or bequeathed to any other person or persons, or directed to be otherwise disposed of, unto my dear wife, Dame Mary Ann Chantrey, her executors, administrators, and assigns. And I hereby empower Charles Stokes, Esq., George Jones, Esq., and Charles Hampden Turner, Esq., three of my executors hereinafter appointed, or the survivors or survivor of them, or the executors or administrators of such survivor, to destroy such of my drawings, models, and casts, as they or he may in their or his uncontrolled judgment consider not worthy of being preserved. And my will is, and I direct that such of the works of art upon which I may be engaged at the time of my decease, as shall be

Mr. Pitt, for the Trinity House. But in the year 1811 he may be said to have fairly commenced his career of fame and fortune. He had six busts in that year's exhibition: 1. Horne Tooke; 2. Sir Francis Burdett; 3. J. R. Smith; 4. Benjamin West, P.R.A.; 5. Admiral Duckworth; 6. William Baker, esq.

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judged by my executors to be in a sufficient state of progress, shall be carried on and completed under their direction, provided that the parties to whom such works belong agree to such arrangement; and that my executors shall set apart and appropriate such sum and sums of money as shall be requisite for discharging all the expenses attending the carrying on and completing of the same works; and in case my friend and assistant, Allan Cunningham, shall be acting as my assistant at the time of my decease, it is my wish that my executors shall engage his services to assist in the completion of the said works, and generally in the adjustment of my professional affairs, at such stipend or other usual remuneration as he may be in receipt of from me at the time of my decease; and upon the completion of the said works and the winding up of my professional affairs, in case the said Allan Cunningham shall superintend the same to the satisfaction in all respects of my executors, and shall be living at the above period of completion, I give and bequeath unto the said Allan Cunningham the sum of 2,000*l.* sterling, free from legacy duty, but without any interest in the meantime; and I hereby authorise and empower my executors to employ any other competent person or persons in the stead of the said Allan Cunningham for the purposes aforesaid, in case he shall not, for any reason, continue to act and assist in my professional affairs as aforesaid, and also to employ all necessary workmen at weekly or other salaries; and for the better carrying on and completing the said works, I direct that such works shall be carried on and completed in the studios, workshops, foundry, buildings, and premises which may be used by me for the purposes of my profession at the time of my decease. And it is my wish that Mr. Henry Weekes should also be employed by my executors, under the superintendence of the said Allan Cunningham, in completing any models or other works, at his usual stipend or remuneration. And I direct that he shall continue to occupy his present residence, being my house, No. 26, Lower Belgrave Place, for the term of one year after my decease, or longer, at the discretion of my executors (in case it shall then happen to be his residence) without payment of rent or other consideration. And upon his services being no longer required by my executors, I give and bequeath unto the said Henry Weekes the sum of 1,000*l.* sterling, free from legacy duty, but without any interest in the meantime; but in case of his death, before my executors have discontinued his services, instead of the said legacy of 1,000*l.*. I give to the executors or administrators of the said Henry Weekes, the sum of 500*l.*, free from legacy duty, but without any interest in the meantime. And I give, devise, and bequeath, all my freehold and copyhold hereditaments, situate, lying, and being at Norton aforesaid, and all other my freehold and copyhold hereditaments whatsoever and wheresoever, unto and to the use of my said wife, Mary Ann Chantrey, her heirs and assigns for ever. And as to all those my leasehold messuages or tenements and hereditaments, situate in Lower Belgrave Place and Eccleston Street and Eccleston Place respectively, in the county of Middlesex, (but subject to the provision aforesaid), and all other my leasehold hereditaments, and premises whatsoever and wheresoever, and all railway, canal, and road bonds, and all canal, navigation, and railway shares, and all shares that may, in any way, partake of the character of real estate, or be charged in any way or to any extent on real estate in any public companies, and also as to all monies which at my decease may be due and owing to me on mortgages or other real securities, and all the rest and residue of my present and future real and mixed estate of what nature or kind soever, I do hereby primarily subject and charge the same to and with the payment and satisfaction thereout of all my just debts, funeral and testamentary expenses, and the several pecuniary legacies bequeathed in and by this my will, or by any codicil or codicils thereto, and of the legacy duty payable in respect of such legacies, and of all such sum and sums of money as shall be requisite for discharging the expenses of carrying on and completing any of my unfinished works of art as hereinbefore provided, it being my will and intention that all my other personal estate shall be wholly exonerated from the aforesaid payments or any of them; and subject and charged as aforesaid, I give and bequeath all and singular the same leasehold hereditaments and premises, and real securities, and the interest and dividends due thereon, and the residue of my real estate and other the premises lastly hereinbefore devised and bequeathed, unto and to the use of my said wife, Mary Ann Chantrey, her heirs, executors, administrators, and assigns, absolutely to and for her and their own use and benefit. And I give and bequeath all my stocks, shares, and interest in the public funds and government securities, whether British or foreign, and all sums of money which may be due or owing to me, upon bonds or other personal securities, or upon simple contract, and all and singular other my pure personal estate and effects whatsoever, and of what nature or kind soever (not specifically given or bequeathed in and by this my will, or by any codicil or codicils thereto) unto the said Charles Stokes, George Jones, and Charles Hampden Turner, their executors, administrators, and assigns, upon the trusts and for the intents and purposes hereinafter declared and expressed of and concerning the same, that is to say, upon trust that they, the said trustees, [here follow the customary powers of sale, transfer, &c., and for reinvestment of proceeds in government securities]. And my will is, and I do hereby direct, that the trustees or trustee for the time being of this my will, shall stand possessed of and interested in such-last-mentioned stocks, funds, and securities, &c. upon trust, during the widowhood of my said wife, to pay and apply the interest, dividends, and annual produce thereof, by equal half-yearly payments (the first of such payments to be made at the expiration of six calendar months from the day of my decease) unto her, my said wife, for her own use and benefit; but in case she shall marry again, then from and after such second marriage, and during the then residue of her life, by and out of the same annual interest, dividends, and produce, to pay one clear annuity or annual sum of 1,000*l.* unto such person or persons, and for such intents and purposes as

Those of Horne Tooke and Raphael Smith are among the best of his busts. With one of them Nollekens expressed his great approbation. He lifted it from the floor—set it before him—moved his head to and fro, and having satisfied himself of its excellence, turned round to those who were arranging the

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my said wife, notwithstanding such future coverture, shall direct or appoint. [Here follow the customary clauses for protection in case the wife should marry again.] And from and after the decease, or second marriage of my said wife, which shall first happen, then upon trust to pay out of the said interest, dividends, and annual produce, one annuity or clear yearly sum of 300*l.* to the said C. Stokes, and one annuity or clear yearly sum of 200*l.* to the said G. Jones, during their respective natural lives, for their own respective absolute use and benefit, the same annuities to be free from legacy duty, &c. And upon further trust, that after the decease or second marriage of my said wife, whichever shall first happen, the trustees or trustee for the time being of this my will, do and shall, so long as my tomb in the churchyard of the said parish of Norton, constructed by me and completed according to such instructions as I may leave for that purpose, shall LAST, and expressly with the view of having my said tomb preserved from destruction, on the first day of December in each and every year, pay out of the said interest, dividends, and annual produce of my said residuary pure personal estate, to the vicar or clergyman of the parish church of Norton aforesaid, who shall reside in the said parish of Norton, one annuity or clear yearly sum of 200*l.* free from legacy duty, upon trust, nevertheless, that such vicar or clergyman do and shall so long as my said TOMB SHALL LAST, on the 21st day of December in each and every year, pay the sum of 50*l.* part of the said last-mentioned annuity or clear yearly sum of 200*l.* to the schoolmaster of Norton school, residing in the said parish of Norton, who, being a member of the established Church of England, do and shall, so long as my said *tomb shall last*, himself personally instruct ten poor boys of the said parish of Norton, chosen and selected by such vicar or clergyman, in reading, writing, and arithmetic, and other branches of general education, free from any expense to the parents of such poor boys; and upon this further trust that such vicar or clergyman do and shall, so long as my said TOMB SHALL LAST, on the said 21st day of December, in each and every year, pay out of the said annuity or clear yearly sum of 200*l.* last mentioned, the sum of 10*l.* each, to five poor men, and five other poor persons, being either widows or single women, all such persons being parishioners of the said parish of Norton, who, in the judgment of such vicar or clergyman, shall be most deserving. And it is my will, that such vicar or clergyman, as some compensation for his care, trouble, and attention in and to the matters aforesaid, shall retain the residue of the said annuity or clear yearly sum of 200*l.* last mentioned for his own use. And I declare that the receipt or receipts in writing, signed by such vicar or clergyman, shall at all times be a sufficient discharge and sufficient discharges to the said trustees or trustee for the time being of this my will, for such payments of the said last-mentioned annuity or clear yearly sum of 200*l.* as shall in any such receipt or receipts be expressed to have been received, to be applied for the purposes and in manner aforesaid.

And it is my desire and intention, that after the death or second marriage of my said wife, whichever shall first happen, subject to the said annuities, or such of them as shall for the time being be payable, the clear income of my aforesaid residuary pure personal estate shall be devoted to the encouragement of "BRITISH FINE ART IN PAINTING AND SCULPTURE ONLY," under and subject to such rules and regulations as I shall in and by this my will, or by any codicil or codicils thereto, make and appoint for that purpose; and in default of such rules and regulations, and subject thereto, in case the same shall be incomplete and insufficient, my will is, and I do hereby direct that from and after the decease or second marriage of my said wife, whichever shall first happen, the said trustees or trustee for the time being of this my will do and shall apply and dispose of the clear interest, dividends, and annual produce of my said residuary pure personal estate, after answering and satisfying thereout the said annuities, or such of them as shall from time to time be payable, in the manner hereinafter mentioned, (that is to say) upon trust, that the trustees or trustee for the time being of this my will, do and shall pay over the same yearly and every year by one or more payment or payments, as they or he shall think proper, to the President and Treasurer for the time being of the Association of Eminent Artists, now known as, and constituting the ROYAL ACADEMY OF ARTS IN LONDON, or to the President and Treasurer of any other society or association which, in the event of the title "ROYAL" being withdrawn by the Crown, or of the Royal Academy being dissolved or its denomination altered, may be formed by the persons who may be the last members of the Royal Academy of Arts in London, whatever may be the denomination assumed by such last members. And I declare, that the receipt and receipts in writing of the President and Treasurer, for the time being, of the Royal Academy, or of such other society or association as aforesaid, shall be a sufficient discharge and discharges to the trustees or trustee for the time being of this my will, for the monies so from time to time paid over as aforesaid, and shall entirely exonerate such trustees or trustee for the time being of this my will, for the monies so from time to time paid over as aforesaid, and shall entirely exonerate such trustees or trustee from all responsibility as to the future application and disposition of the same monies. And my will is, and I do hereby direct, that from and out of the monies so paid over, one annuity or clear yearly sum of 300*l.* shall be retained by such President for the time being, to and for his own absolute use and benefit; and that an annuity or yearly sum of 50*l.* shall be paid thereout to the Secretary, for the time being, of the said Academy, Society, or Association, for his own absolute use and benefit, *on condition that such Secretary shall attend the meetings of my trustees, and keep in a book, to be preserved by them, a regular account of all the proceedings:* such two last-mentioned annual sums to be payable on the first day of January in every year, and the first payment to be made on the first day of January in the year succeeding that in which my said wife shall die or marry, as the

works for exhibition, and said, "There's a fine, a very fine *busto;* let the man who made it be known—remove one of my busts and put this one in its place, for it well deserves it." Often afterwards, when desired to model a bust, the same excellent judge would say, in his most persuasive manner, "Go to

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case may be; and neither of such annual sums to be apportionable for a broken part of a year; and the clear residue of the same monies shall be laid out by the President and other members composing such Council, for the time being, of the Royal Academy, or of such other society or association as aforesaid, when and as they shall think it expedient, in the purchase of WORKS OF FINE ART OF THE HIGHEST MERIT IN PAINTING AND SCULPTURE that can be obtained, either already executed or which may hereafter be executed by artists of any nation, provided such artists shall have actually resided in Great Britain during the executing and completing of such works, it being my express direction that no work of art, whether executed by a deceased or living artist, shall be purchased, unless the same shall have been entirely executed within the SHORES OF GREAT BRITAIN. And my will further is, that in making such purchases preference shall, on all occasions, be given to works of the highest merit that can be obtained, and that the prices to be paid for the same shall be *liberal*, and shall be wholly in the *discretion of the President and Council of the Royal Academy, or of such other society or association as aforesaid.* And my will further is, that such President and Council, in making their decision, shall have regard solely to the *intrinsic merit of the works in question*, and not permit any feeling of sympathy for an artist or his family, by reason of his or their circumstances or otherwise, to influence them. And I do hereby further direct, that such President and Council shall not be in any manner obliged to lay out and expend in every or any one year, either the whole or any part of the monies so paid over to them for the purpose aforesaid, or any accumulations that may arise therefrom, but that the same respectively may, from time to time, be reserved and accumulated for a period not exceeding five successive years, if such President and Council shall see occasion. And I do expressly declare my will and mind to be, that *no commissions or orders* for the execution of works to be afterwards purchased as aforesaid, shall at any time be given by such President and Council to any artist or artists whomsoever. And I futher declare my will to be, that the President and Council of the Royal Academy, or of such other society or association as aforesaid, do and shall within the succeeding year next after any work shall have been purchased by them as aforesaid, cause the same to be *publicly exhibited* for the period of *one calendar month at the least*, in the annual exhibition of the Royal Academy, or in some important public exhibition of Fine Arts, the same to be selected by such President and Council, subject to such regulations as they shall think fit and proper. And I direct that the said works shall be selected by the decision of a majority of the members of the Council for the time being of the Royal Academy, or of such other society or association as aforesaid, the President thereof having in such selection one vote as a member of the Council, and a casting vote as President thereof. And I do hereby expressly direct, that after every purchase shall have been made by such Council, the names of those members of the Council who shall have sanctioned or opposed such purchase shall be entered in some book to be kept for that purpose, which book shall at all times remain open for the inspection and reference of all the members of the Royal Academy, or of such other society or association as aforesaid, and of the trustees or trustee for the time being of this my will. And it is my wish and intention, that the works of Art so purchased as aforesaid, shall be collected for the purpose of forming and establishing A 'PUBLIC NATIONAL COLLECTION OF BRITISH FINE ART IN PAINTING AND SCULPTURE executed within the shores of Great Britain, in the confident expectation that, whenever the collection shall become or be considered of sufficient importance, the government or the country will provide a suitable and proper building or accommodation for their preservation and exhibition as the property of the nation, free of all charges whatever on my estate. And it is my wish that my trustees or trustee, for the time being, and the President and Council of the Royal Academy, or of such other society or association as aforesaid, shall use their best endeavours to carry my object into proper effect. But I expressly direct, that no part of my residuary pure personal estate, or of the annual income thereof, shall be appropriated in acquiring any depositary or receptacle whatever, for the aforesaid works of Art, otherwise than in providing a place of temporary deposit and security whenever needful, and in defraying those expenses which shall be absolutely required for the necessary preservation of the said works of Art, so long as they shall remain in such place of temporary deposit. And in case the Royal Academy and such other society or association as aforesaid, if any, shall be dissolved or cease to act for the purposes aforesaid, I do hereby direct, that the trustees or trustee for the time being of this my will, shall endeavour to obtain the authority and sanction of Parliament to some proper scheme for the future application of the annual income of my residuary pure personal estate, such scheme being in strict accordance with my intention hereinbefore expressed, viz., that such income shall be for ever devoted towards the encouragement of Fine Art in Painting and Sculpture executed within the shores of Great Britain. And it is my earnest request, that my said wife do, with all convenient speed after my decease, apply for and endeavour to obtain an 'Act of Parliament settling, or authorising her to settle, the said freehold and copyhold hereditaments, and other real and mixed estate to which she may become entitled under this my will, or so much thereof as shall remain after defraying the expenses of applying for and obtaining such Act of Parliament and making such settlement, upon the same trusts as are hereinbefore declared concerning my residuary pure personal estate, but not so as to double or otherwise increase all or any of the annual or other sums hereinbefore made payable thereout, but so nevertheless that my said wife may have a life interest therein, or in such part thereof as she may desire. Nevertheless, I declare, that no forfeiture shall be occasioned by want of such Act of Parliament, but that, in case the same should not be

Chantrey, he's the man for a bust—he'll make a good bust of you; I always recommend him." He did recommend him; and sat to Chantrey for his own bust. In the same year Chantrey became the successful candidate for a statue of George III. for the City of London. This was his first statue, and

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obtained, the same freehold and copyhold hereditaments, and other real and mixed estate, shall go and be held and enjoyed under this my will, in the same way as if no such request had been contained in relation thereto. And I do hereby nominate and appoint my said wife, Mary Ann Chantrey, and the said Charles Stokes, George Jones, and Charles Hampden Turner, executrix and executors of this my will. But I hereby declare, that if either of my said executors shall be indebted to me at the time of my decease, such debt or debts shall not be extinguished by reason of his being so appointed an executor. [Here follow clauses to authorise the trustees to act in cases where he himself held property in trust, and, in case of death, &c., to appoint new trustees, &c.] And it is my earnest wish, that such appointment be made within three calendar months next after the happening of any such vacancy as aforesaid, and that the number of *three trustees* may be kept up during the lifetime and widowhood of my said wife, and that after her decease the trustees be increased to FIVE, by adding to the number of three the *President* and Treasurer for the time being of the Royal Academy, or of such other society or association as aforesaid, so that the number of *five trustees*, always including such President and Treasurer, shall thenceforth be kept up, &c. [Clauses for investing new trustees with full power.] And I direct that every trustee who shall be appointed under the power hereinbefore contained (excepting the President and Secretary of the Royal Academy, or of such other society or association as aforesaid) shall upon his appointment receive one clear sum of 100*l.* sterling, to be retained out of the income of my residuary pure personal estate for the current year in which any such appointment shall take place, the same sum to be some remuneration for the trouble imposed upon such new appointed trustee. [Here follow the customary clauses for the legal discharge, reimbursement, and security of the trustees.] In witness whereof I, the said Sir Francis Chantrey, the testator, have to this my last will and testament, &c., set my hand, this thirty-first day of December, in the year of our Lord One thousand eight hundred and forty. — F. CHANTREY. — Signed, published, &c. — Witnesses, John Walter, 4, Symond's Inn, Attorney-at-law, Rose Mary Walter, 47, Ebury Street, Pimlico, Spinster.

THIS is a codicil to the last will and testament of me, Sir Francis Chantrey, of, &c.—Whereas, in and by my said will, I have directed, that in case my friend and assistant, Allan Cunningham, shall be acting as my assistant at the time of my decease, it is my wish that my executors should engage his services to assist in the completion of the works therein referred to, and generally in the adjustment of my professional affairs, at such stipend or other usual remuneration as he may be in receipt of from me at the time of my decease; and upon the completion of the said works, and the winding up of my professional affairs, in case the said Allan Cunningham shall superintend the same to the satisfaction, in all respects, of my executors, and shall be living at the above period of completion, I have given and bequeathed unto the said A. Cunningham the sum of 2,000*l.* sterling, free from legacy duty, but without any interest in the meantime. Now I do hereby, in addition to the said sum of 2,000*l.* so given to him, give and bequeath to him, the said Allan Cunningham, one annuity or clear yearly sum of 100*l.* for and during the term of his natural life, payable quarterly out of the rents or interest and dividends of the leasehold and other property hereinafter mentioned, given and bequeathed by my said will to my wife, Mary Ann Chantrey. And after the decease of the said Allan Cunningham, I give and bequeath a like annuity or clear yearly sum of 100*l.* to Jean Cunningham, the now wife of the said Allan Cunningham, for and during the term of her natural life, payable quarterly ont of the rents or interest and dividends of the leasehold and other property hereinafter mentioned, given and bequeathed by my said will to my said wife. And whereas, as to all those leasehold messuages or tenements and hereditaments situate in Lower Belgrave Place and Eccleston Street, &c. &c., and all the rest and residue of my present and future real and mixed estate of what nature and kind soever, I have primarily subjected and charged the same to and with the payment and satisfaction thereout of all my just debts, &c., in addition to the aforesaid charges thereon, I further charge all and singular the same leasehold hereditaments and premises and real securities, and the principal and interest due thereon, and the residue of my real estate, and other the premises lastly hereinbefore mentioned, with the payment of the said several annuities hereby given and bequeathed to the said Allan Cunningham and Jean Cunningham his wife, it being my will and intention that all my other personal estate shall be wholly exonerated from the aforesaid payments or any of them; and subject and charged as aforesaid, I give and bequeath all and singular the same leasehold hereditaments and premises and real securities, and the principal and interest due thereon, and the residue of my real estate, and other the premises lastly hereinbefore mentioned unto and to the use of my said wife, Mary Ann Chantrey, her heirs, executors, administrators, and assigns absolutely, to and for her and their own use and benefit. And in all other respects I ratify and confirm my said will. In witness whereof, I, the said Sir Francis Chantrey, have to this codicil to my said will set my hand this third day of November, in the year of our Lord One thousand eight hundred and forty-one.—F. CHANTREY. — Signed, published, &c. — Witnesses, John Walter, Attorney-at-Law, 4, Symond's Inn, Rose Mary Walter, 47, Ebury Street Pimlico.

Proved at London, with a codicil, the 15th of December, 1841, before the Worshipful Robert Joseph Phillimore, Doctor of Laws and Surrogate, by the oaths of Dame Mary Ann Chantrey, widow, the relict, Charles Stokes, Esq., George Jones, Esq., and Charles Hampden Turner, Esq., the executors, to whom administration was granted, having been first sworn duly to administer.

it is at once easy and dignified. He now rose rapidly in public estimation, and in the following five years executed busts of most of the leading public men. In 1817, then newly made an Associate of the Royal Academy, he executed his celebrated performance "The Sleeping Children," now in Lichfield cathedral. There is not a more exquisite group in the whole range of modern sculpture than Chantrey's Two Children, the daughters of the Rev. W. Robinson, in Lichfield cathedral. The sisters lie asleep in each other's arms, in the most unconstrained and graceful repose. The snowdrops which the youngest had plucked are undropped from her hand, and both are images of artless beauty, and innocent and unaffected grace. Such was the press to see these children in the exhibition, that there was no getting near them; mothers, with tears in their eyes, lingered, and went away, and returned, while Canova's now far-famed figures of Hebe and Terpsichore stood almost unnoticed by their side. Orders now crowded in upon him as they were never known to crowd before upon a British sculptor. In 1816 he was elected an Associate of the Royal Academy, and an Academician in 1818. In the latter year he exhibited a bust of John Rennie, the engineer, one of his most admirable heads, and that exquisite little statue at Woburn, of Lady Louisa Russell, the present Marchioness of Abercorn. The child stands on tiptoe, with a face of the most exquisite and arch expression, proud with delight of the dove which she fondles in her bosom. All who have been at Woburn will recollect this little figure; but the trays of the Italian boys have given it a wider, and only its deserved celebrity. From this period Chantrey obtained an European celebrity; and there is scarcely a personage of eminence in any rank or profession who has not been perpetuated in the works of this great artist: a list of his busts and statues were a catalogue of cotemporary worthies. When the Marquess Camden was elected Chancellor of the University of Cambridge, Chantrey was made an honorary M.A., and he received from William IV. the honour of knighthood, in 1835. A Baronetcy was offered him, but refused, on the ground that he had no one to succeed him in the honour. Sir Francis died of a spasm of the heart, which, upon his body being opened, was found to be partially ossified [see Coroner's Inquest in the Chronicle]. Sir Francis Chantrey was about five feet seven inches high, of a stout make, and one of the most active and vigorous men of his time, but latterly inclined to corpulence. His head and face were very fine; his eyes round and lustrous, one useless for vision, but in no way apparently different from its fellow. He had been bald from an early age. His voice was agreeable, his conversation humorous and sarcastic by turns, and always animated. He had mixed much with the world, and knew it better by experience than by books. Chantrey possessed a very choice and exquisite cabinet of sculpture, antiques, medallions, &c. Many of these he purchased at public sales. It was an appropriate and affecting, though unpremeditated circumstance, that his dead body lay, at the Coroner's inquest, amidst many of the finest forms of the ancient sculptors, of which he had collected the best casts that could be procured. The mortal remains of this celebrated sculptor were consigned to their resting-place at his native village, on the 6th of December.

26. At Genoa, in her 45th year, the Right Hon. Louisa Elizabeth Countess of Durham. Her Ladyship was the eldest daughter of Earl Grey, K.G., by the Hon. Mary Elizabeth Ponsonby, only daughter of William Brabazon first Lord Ponsonby, and married in 1816, John George Earl of Durham, (then Mr. Lambton). The noble Earl died in 1840, leaving his entire property and the charge of his family to the Countess, who yielded herself with entire devotion to the duty: it has, however, pleased Providence to remove her ere her task had well begun.

— At Dublin, Sir Thomas Molyneux, the fifth Baronet, of Castle Dillon, co. Armagh (1730), General in the Army.

30. In Hyde Park Gardens, in his 52nd year, Sir George Henry Freeling, bart., eldest son of the late Sir Francis Freeling, bart., Secretary of the General Post Office. Under him Sir Henry acted as Assistant Secretary for twenty years; and shortly after the death of his father, in 1836, he was appointed a Commissioner of Customs, which appointment he held at the time of his decease.

Lately. In France, M. Audouin, a distinguished Member of the Academy of Sciences, especially attached to the Agricultural Section, Professor of Entomology at the Museum of Natural History, and author of many works on Zoology, of which his "Memoirs on the Insects most destructive to Agricultural Produce," are much esteemed. M. Audouin died at the early age of 44.

DECEMBER.

1. At his house, in Finsbury-square, in his 66th year, George Birkbeck, M.D., President of the London Mechanics' Institute. Dr. Birkbeck was the son of a merchant and banker of considerable eminence at Settle, in Yorkshire, where he was born on the 10th Jan. 1776. After studying for the medical profession at Leeds, he removed to London, where he had the good fortune to become a pupil of the celebrated Dr. Baillie, whose friendship he retained until the end of that illustrious man's career. He then, to complete his education, repaired to Edinburgh, where he formed a friendship with Brougham, Horner, Jeffrey, &c. Before the 22nd year of his age, he was appointed Professor of Natural Philosophy in the Andersonian Institution of Glasgow. Dr. Birkbeck had practised for many years as a physician in the city of London and enjoyed a considerable share of reputation. Dr. Birkbeck had, at an early period of his life, established a mechanics' class at Glasgow, which was so successful as to induce him, in the year 1822, to found the London Mechanics' Institution in Chancery-lane, to which society he nobly lent the sum of 3,000*l.* to enable them to erect a theatre suitable for the purpose of delivering lectures, &c., and of which he was elected President. From this, the parent institution, various other similar societies have been established, with more or less success, in almost every considerable town in Great Britain. Dr. Birkbeck was mild and equable in his temper and disposition, benevolent in spirit, and possessing great suavity of manners. He spoke with singular neatness and fluency; and his ideas were as clear as his language. Whenever he appeared among the mechanics, he was welcomed as a father and friend; he was highly appreciated by a very large circle of private friends, and was held in great esteem by the most eminent public literary and scientific men of the day.

10. At the Adelphi hotel, Liverpool, aged 56, Philip Courtenay, esq., Queen's Counsel, and a Bencher of the Inner Temple. Mr. Courtenay was a member of Trinity College, Cambridge, where he graduated B.A. 1805, M.A. 1808. He was called to the Bar at the Inner Temple, July 1, 1808; and afterwards attended the Common Law Courts, and went the Northern Circuit. He also received the appointment of standing counsel to the Mint. He was promoted to the rank of Queen's Counsel in Hilary Vacation, 1833. In the last Parliament of 1837-1841, he sat for the borough of Bridgewater, and advocated Tory principles. His death took place under circumstances of a peculiarly distressing character. [See Chronicle.]

— In Guildford-street, aged 84, Samuel Birch, esq., formerly a distinguished member of the Corporation of London.

11. At Farming Woods, in Rockingham Forest, Northamptonshire, Lady Anne Fitzpatrick. This lady, and her younger sister, Lady Gertrude Fitzpatrick, were the two last surviving members of the family of Fitzpatrick, Barons and Earls of Upper Ossory.

— At Mellerstain House, co. Roxburgh, aged 78, George Baillie, esq., of Mellerstain and Jerviswood, heir presumptive to the earldom of Haddington. Mr. Baillie represented in Parliament the county of Berwick from 1796 to 1818.

14. At her house in Molesworth-street, Dublin, at an advanced age, Lady Elizabeth Mathew, of Thomastown Castle, co. Tipperary, the last descendant of the family which bore the title of Llandaff. Francis James, second Earl of Llandaff, and K.P., died without issue in 1833; when the estates devolved upon his only sister, Lady Elizabeth. They now devolve on Louis William, Vicomte de Rohan Chabot, K.C.H., aide-de-camp to the King of the French, and formerly a Major-General in the British service.

15. At his residence at Brighton, in his 83rd year, the Right Hon. John Fane, tenth Earl of Westmoreland. His Lordship was born on the 1st Jan. 1759, and having passed through the usual routine of school and college education,

he was married, on the 20th May, 1782, to Sarah Anne, only child of Robert Child, esq., of Osterley-park, Middlesex, the head of the great banking-house in Fleet-street, who bequeathed the bulk of his property to the eldest daughter of the deceased Earl, Lady Sarah Sophia Fane, married to the present Earl of Jersey. By his first wife Lord Westmoreland had four daughters and two sons, of whom one son and two daughters survive. His Lordship became a widower on the 9th of November 1793, and remained seven years unmarried. On the 24th of March 1800, he espoused Jane, the second daughter and co-heir of Mr. Richard Huck Saunders, M.D., and sister of the Viscountess Melville. By this second marriage the noble Earl had issue three sons and one daughter, of whom three survive, namely, the daughter and two of the sons; the second Countess survives. The noble Earl succeeded to his title and estates in the twenty-fifth year of his age, on the death of his father, the ninth Earl. The administration of the Irish Government was committed to his charge by Mr. Pitt, at a period quite as eventful as any that have since occurred, and demanding as much prudence and skill as a chief governor could be called on to exercise. His Lordship undertook the office of Lord-Lieutenant of Ireland in the month of January 1790, and continued to fill it for five years. Lord Westmoreland did not long remain out of the public service. He became a member of the Cabinet in two years afterwards (1797), holding the office of Lord Privy Seal, which he retained till the death of Mr. Pitt gave to the Whigs a six months' tenure of power. In 1807 he resumed his former situation of Lord Privy Seal, and continued to hold it till the retirement from office of the late Lord Liverpool broke up the last Ministry to which the application of Tory is strictly applicable, and made way for the coalition which Mr. Canning at that time formed with the Whigs, the duration of which was so brief, and the influence of which on public affairs is so little remembered. The noble Earl was a Knight of the Garter, and Lord-Lieutenant of Northamptonshire, in which his estates are principally situated; he was also Recorder of Lyme Regis; but for many years past declined any attention to public affairs, which he could with propriety avoid, for the infirmities inseparable from his advanced age rendered him naturally averse to any exertion which a strict sense of duty did not actually impose. The Earl is succeeded in his titles and the entailed estates by his eldest son, Lord Burghersh, now eleventh Earl of Westmoreland, a Lieutenant-General, many years Minister Plenipotentiary at the Court of Tuscany, and now Ambassador to the Court of Prussia.

— At the Linnean Society's apartments, Soho-square, in his 42nd year, David Don, esq., Professor of Botany in King's College, London. He was the second son of Mr. George Don, the curator of the Royal Botanic Garden in Leith Walk, near Edinburgh. About twenty-five years ago he came to London, carrying with him an introduction from a friend to the celebrated botanist, Mr. Robert Brown. Through his powerful recommendation he was successively appointed Keeper of the Lambertian Herbarium and Librarian of the Linnean Society. In 1821 he accompanied his early friend to Paris, and there formed acquaintance with some of the most eminent continental naturalists, amongst whom were Humboldt, Cuvier, and Delessert. Mr. Don's Prodomus Floræ Nepaulensis, and various excellent papers in the Linnean Transactions, having brought him prominently into notice in the botanical world, he was chosen Professor of Botany in King's College, London; and he may be said to have fallen a martyr to his sense of duty as a lecturer, for he resolutely delayed to the end of the session an operation recommended by Sir B. Brodie, by whom his life might have been saved, and it was then found to be too late.

— At his residence, High Beech, Essex, aged 66, William St. Julien Arabin, esq., serjeant-at-law, one of the Judges of the Central Criminal Court, and Judge of the Sheriff's Court in London, Deputy Judge Advocate, and one of the Verderers of the forests of Epping and Hainault. Mr. Serjeant Arabin was the only surviving son of the late General Arabin, at whose demise he succeeded to extensive estates in Middlesex and Essex. He was called to the Bar at the Inner Temple May 8, 1801, when he selected the Home Circuit, and practised at the Old Bailey and other metropolitan sessions. He was called to the degree of Serjeant-at-

law in Easter Term 1824; and about the same time was selected to fill the office of Deputy Judge Advocate of the army. On the 24th Nov. 1838, he succeeded Mr. Cutlar Fergusson as Judge Advocate General of the army; which office, however, he only retained to the following February, when he retired to make room for Sir George Grey; retaining his former place as Deputy Judge Advocate. When the "New Court" in London was erected, about fourteen years ago, Mr. Serjeant Arabin was elected as the third civic judge, to act in concert with the Recorder and Common Serjeant; and on the jurisdiction of the Central Criminal Court being established he was made a commissioner, and he continued indefatigable in the discharge of his judicial duties down to the close of the October sessions, after which severe illness prevented him from resuming them.

— At Malta, Edward Jacob, esq., M.A., Fellow of Gonville and Caius College, Cambridge, one of her Majesty's Counsel, and a Bencher of Lincoln's Inn. Mr. Jacob was one of the most distinguished members and ornaments of the Chancery Bar. He was the senior wrangler of his year, 1816, and, we believe, took other University honours. He attained the degree of M.A. in 1819, and was called to the bar at Lincoln's Inn on the 28th June in that year. Mr. Jacob edited, in conjunction with Mr. Walker, two volumes of Reports of Cases in the Court of Chancery during the time of Lord Chancellor Eldon, commencing Trinity Term 1819. These were followed up by himself alone by another volume of similar Reports, commencing Easter Term 1821, published in 1828.

23. At his residence in Wigmore-street, in his 47th year, the Right Hon. Henry Frederick James, fifth Earl of Egmont, Viscount Perceval (in Ireland), and fourth Baron Lovell and Holland (in England). The deceased peer was great grandson of John, second Earl of Egmont (First Lord of the Admiralty in the Ministry which succeeded Lord Bute's in 1763), who was father, by a second marriage, of the late Lord Arden and the Right Hon. Spencer Perceval. Dying unmarried his titles have devolved upon his cousin, the Right Hon. George James Lord Arden, a captain in the navy.

25. At Warren's Hotel, Regent-st., aged 64, Lord Douglas Gordon Hallyburton, a Deputy-Lieutenant of Forfarshire, and late M.P. for that county; half-brother to the Marquess of Huntly. He was the only son by the second marriage of George fourth Earl of Aboyne, with Lady Mary Douglas, daughter of James fourteenth Earl of Morton, and Agatha, daughter of James Hallyburton, of Pitcur. On the death of his cousin, the Hon. Hamilton Douglas Hallyburton, of Pitcur, in 1784, he succeeded to his extensive property in the county of Forfar, and in consequence assumed the name and arms of Hallyburton of Pitcur. The Hon. D. G. Hallyburton was first returned to Parliament for Forfarshire, on Whig principles, in 1831, and he continued to represent that county, until the last election in 1841.

27. At his residence, Mount Anville, near Dublin, aged 48, John Beatty West, esq., Queen's Counsel, M.P. for that city.

— At his villa at Petersham, at an advanced age, Vice-Admiral Sir G. Scott, K.C.B. He had seen much service during the last war, and he attained the rank of Vice-Admiral of the White Squadron on the 10th of January, 1837. On the 13th of September, 1831, he was nominated a K.C.B. Sir George married in 1810, the Hon. Caroline Lucy Douglas, second daughter of the late and sister to the present Lord Douglas, of Douglas.

28. At Merton House, near Berwick-upon-Tweed, in his 84th year, the Right Hon. Hugh Scott, fourth Baron Polwarth, in the peerage of Scotland (1690), a Deputy Lieutenant of the Counties of Roxburgh and Selkirk. His Lordship was the only son of Walter Scott, of Harden, co. Berwick, esq., M.P. for Roxburghshire, and Receiver and Cashier of the Excise in Scotland, by Lady Diana Hume, third and youngest daughter of Hugh third Earl of Marchmont and Baron Polwarth. Hugh Earl of Marchmont executed an entail of his estates in 1790, whereby the issue of his daughter, Lady Diana, by her then husband, Mr. Scott, were specially excluded from the inheritance. The claim of Mr. Scott, of Harden, however, to the title of Baron Polwarth, as son of the only daughter of the last Earl that left surviving issue, was admitted by the House of Peers in June, 1835. Lord Polwarth married Henrietta, daughter of Hans Moritz Count Bruhl, of Saxony,

and Envoy from the court of Dresden to Great Britain.

29. At Tregothnan, Cornwall, after a few days' illness, in his 55th year, the Right Hon. Edward Boscawen, Earl of Falmouth (1821), fourth Viscount Falmouth and Baron Boscawen-Rose, co. Cornwall (1720). His Lordship was the elder son of George Evelyn, the third Viscount, by Elizabeth Anne, only daughter of John Crewe, of Bolesworth Castle, in Cheshire, esq. He succeeded to the peerage when in his 21st year, on the death of his father, Feb. 14th, 1808, being at that time an Ensign in the Coldstream guards; and was advanced to an Earldom, at the coronation of George IV., by patent dated July 9, 1821.

Lately. The Dictator of Paraguay, Dr. Jose Gaspar Francia, whose death has been repeatedly rumoured, has at length closed his extraordinary career; the place and exact date of his decease are not known. This extraordinary character was the son of a French, or more probably a Portuguese settler, by a Creole lady. He was originally intended for the church, and received an excellent education at the University of Cordova de Tucuman. Theology, however, proving unsuited to his taste, he turned to the more congenial study of the law. In this his proud and lofty bearing, his unbounded eloquence, and his fearless and undaunted character, raised him to the height of popularity; at this period of his life he seems to have combined the noblest qualities of the scholar and the gentleman, without the slightest tinge of those peculiarities which darken his subsequent career. When the Portuguese colonies asserted their independence, Dr. Francia highly distinguished himself, and by vigour and policy raised himself to the Joint Consulship of the infant Republic: this he speedily converted into a Dictatorship (in 1813) by the deposition of his colleague Yegros, a mere legislative simpleton. From this moment he governed with the most absolute power, a gloomy, solitary, suspicious despot—yet no mean tyrant. Retired to a small and wretchedly furnished cottage, without any other attendant than his sister, with no ostensible guards or retinue, Francia governed Paraguay as no other state of South America was ruled; while civil war and convulsion distracted every neighbouring state, Paraguay, under its extraordinary ruler, enjoyed the profoundest peace, and recovered itself from the effects of the civil wars. Dr. Francia's seclusive policy, however, though admirably adapted for the temporary tranquillity of the state, could never develope its resources, or ultimately promote its prosperity; his death, therefore, will add this rich and well-watered country to the other civilised nations of the earth.

— At St. Petersburgh, in his 71st year, Admiral Sir George Montague Hamilton. This officer, who attained a high rank in the Russian service, was originally in the British navy, in which he entered a midshipman, under Admiral Digby, on board a frigate on the North American station; in which also the late Duke of Clarence commenced his career. Subsequently he served in the *Rotterdam*, of 50 guns, captured from the enemy; and afterwards in the *Magnificent*, 74. From this ship he entered the Swedish service, the Northern Powers being then engaged in hostilities; but peace being soon concluded, he went with strong letters of recommendation from the Ambassador at Stockholm to the Russian Court; and entering their naval service was immediately appointed captain of a frigate, though no more than 21 years of age, and compelled at first, from want of knowledge of the language, to communicate his orders through an interpreter. He afterwards served in the Caspian, Black Sea, Mediterranean, and Baltic; and after being raised to the rank of Vice-Admiral, commanded the Baltic fleet. He was made Commodore in 1818, Rear-Admiral in 1826, and Vice-Admiral in 1830. He was a skilful navigator and good officer; and was Knight of the Military Orders of St. Anne, 1st class; and of St. George, 3d class; and of that of St. Wladimir. For the last four or five years of his life he was member of the Auditoriat of the Russian Navy, a board of supervision with judicial powers, the duties of which are performed at St. Petersburgh.

TRIALS, LAW CASES, &c.

Trial of James Thomas Earl of Cardigan, in the House of Lords, on the 16th day of February, 1841, for Felony.*

The Lord Denman, in the absence of the Lord Chancellor, entered the House in his robes, preceded by the Serjeant with the mace, Black Rod carrying the Lord High Steward's staff, and Garter with his sceptre, and took his seat on the Woolsack, as Lord Speaker.

After prayers the roll of Peers was called over by the Clerk Assistant beginning with the junior Baron.

The Clerk of the Crown in Chancery and the Deputy Clerk of the Crown in the Queen's Bench then made three reverences, and the Clerk of the Crown in Chancery, on his knee, delivered the Commission to the Lord Speaker, who gave it to the Deputy Clerk of the Crown in the Queen's Bench, who received it on his knee; both the clerks then retired, with like reverences, to the table.

After proclamation made for silence,—

Lord Speaker. — Let her Majesty's Commission be read, and let all persons rise and be uncovered while the same is read.

The Commission was read by the Deputy Clerk of the Crown in the Queen's Bench, appointing Thomas Lord Denman as Lord High Steward.

Then Garter and the Gentleman Usher of the Black Rod, having made their reverences, proceeded to the Woolsack, and having taken their places on the right hand of the Lord High Steward, both holding the white staff, presented it on their knees to his Grace.

His Grace then rose, and, having made reverence to the throne, took his seat in the chair of state placed on the upper step but one of the throne, and delivered the staff to the Gentleman Usher of the Black Rod.

Proclamation for silence was made by the Serjeant-at-Arms.

The writ of Certiorari to remove the indictment, with the return thereto, and the record of the indictment, were read by the Deputy Clerk of the Crown in the Queen's Bench.

Proclamation was made by the Serjeant-at-Arms for the Yeoman Usher to bring James Thomas Earl of Cardigan to the bar.

The Earl of Cardigan was brought to the bar by the Yeoman Usher, and on approaching it made three reverences, and knelt till

* The Address of the Attorney-General for the Crown is taken from a corrected report in the "Speeches &c. of Lord Campbell," published by A. and C. Black, Edinburgh, the other proceedings are extracted from the Report published by order of the House of Peers. It has not been deemed essential to give the evidence which was merely corroborative of that of Thomas Hunt Dann.

directed by the Lord High Steward to rise; then he made three reverences, one to his Grace the Lord High Steward, and one to the Peers on either side, who returned the same; his Lordship was then conducted to the stool provided for him within the bar, near to his Lordship's counsel.

Lord High Steward.—My Lord Cardigan, your Lordship stands at the bar charged with the offence of firing with a loaded pistol at Harvey Garnett Phipps Tuckett, with intent to murder him; in a second count you are charged with firing with intent to maim and disable him; and in a third count you are charged with firing with intent to do him some grievous bodily harm. Your Lordship will now be arraigned on that indictment.

Then the Earl of Cardigan was arraigned by the Deputy Clerk of the Crown in the Queen's Bench in the usual manner.

Deputy Clerk of the Crown.—How say you, my Lord, are you guilty of the felony with which you stand charged, or Not guilty?

Earl of Cardigan.—Not guilty, my Lords.

Deputy Clerk of the Crown.—How will your Lordship be tried?

Earl of Cardigan. — By my Peers.

Deputy Clerk of the Crown.—God send your Lordship a good deliverance.

His Grace the Lord High Steward, by leave of the Court, removed to the table, preceded by Garter and Black Rod; and his Grace being seated, Black Rod took his seat on a stool at the corner of the table on his Grace's right hand, holding the white staff, Garter on a stool on Black Rod's right, and the Serjeant at the lower end of the table on the same side.

The Indictment having been stated by the Queen's Counsel for the Crown, Sir John Campbell, Attorney-General, spoke as follows:—

My Lords, I have the honour to attend you upon this occasion as Attorney-General for her Majesty, to lay before you the circumstances of this case,—without any object or wish on my part, except that I may humbly assist your Lordships in coming to a right conclusion upon it according to its merits.

My Lords, an indictment has been found against a Peer of the realm by a Grand Jury of the country, charging him with a felony, the punishment for which is transportation or imprisonment. That indictment has been removed before your Lordships, at the request of the noble prisoner,—most properly made, — for an inferior court had no jurisdiction to try it. This charge being upon the face of it so serious, it would not have been satisfactory if it had gone off without any inquiry; and the policeman, who was upon this occasion bound over to prosecute, had fulfilled the condition of his recognizance by appearing at the Central Criminal Court and preferring the indictment.

My Lords, in the course of this trial it is possible that questions of magnitude upon the construction of Acts of Parliament, and respecting the privileges of the peerage, may arise,—which it is of great importance to this House, to the Crown, and to the community, should be deliberately discussed. According to all the precedents that can be found, whenever there has been a Peer tried in Parlia-

ment, the prosecution has been conducted by the law officers of the Crown.

Fortunately, my Lords, we have no living memory upon this subject. It is now sixty-four years since any proceeding of this sort has taken place; and I am rejoiced to think, my Lords, that the charge against the noble prisoner at the bar does not imply any degree of moral turpitude, and that if he should be found guilty the conviction will reflect no lasting discredit upon the illustrious order to which he belongs. But, my Lords, it seems to me that he clearly has been guilty of a breach of the statute law of the realm, which this and all courts of justice are bound to respect and enforce: Your Lordships are not sitting here as a Court of Honour, or as a branch of the Legislature; your Lordships are sitting here as a Court of Justice,—bound by the rules of law,—and under a sanction as sacred as that of an oath.

My Lords, the indictment against the Earl of Cardigan is framed upon an Act of Parliament which was passed in the first year of the reign of her present Majesty Queen Victoria; it charges his Lordship with having shot at Captain Harvey Tuckett with the several intents that are set forth in the different counts. I think, my Lords, that in opening the case to your Lordships, I shall best discharge my duty by presenting to you a brief history of the enactments of the legislature upon this subject.

By the common law of England, where death did not ensue, no personal violence amounted to more than a misdemeanour, and if the wounded party did not die within a year and a day no felony was committed.

The first Act of Parliament that created a felony where death did not ensue was the fifth of Henry 4th, cap. 5, whereby certain personal injuries without death were made felonies, but with benefit of clergy. Then, my Lords, came the Coventry Act, in the twenty-second and twenty-third of Charles 2nd, whereby any person lying in wait for, and wounding with intent to maim or disfigure, was guilty of felony, without benefit of clergy. Under both of those statutes no offence was committed unless a wound were inflicted; and it was not until the ninth of George 1st, commonly called the Black Act, that an attempt upon life without wounding was made a felony.

My Lords, by that Act of Parliament it was enacted, that "if any person shall wilfully and maliciously shoot at any person in any dwelling-house or other place," he shall be guilty of felony, without benefit of clergy, although no wound were inflicted. But, my Lords, it was determined upon that statute (of which, in fairness to the noble prisoner, it is my duty to remind your Lordships), that unless the case was one in which, if death had ensued, it would have amounted to murder, no offence was committed. That was determined in the case of the King *v.* Gastineaux, which is reported in the first volume of Leach's Crown Law, page 417. In that case the law was thus laid down:—"The offence charged in this indictment is described by the statute on which it is framed in very few and clear words, which are, 'That if any person or persons shall wilfully and maliciously

shoot at any person in any dwelling-house or other place, he shall be adjudged guilty of felony, without benefit of clergy.' The word *maliciously* is made to constitute the very essence of this crime; no act of shooting, therefore, will amount, under this statute, to a capital offence, unless it be accompanied with such circumstances as in construction of law would have amounted to the crime of murder if death had ensued from such act. This proposition most clearly and unavoidably results from the legal interpretation of the word *maliciously*, as applied to this subject; for there is no species of homicide in which malice forms any ingredient but that of murder; and it follows that neither an accidental shooting, nor a shooting in the transport of passion, excited by such a degree of provocation as will reduce homicide to the offence of manslaughter, are within the meaning of the statute; for, from both of these cases the law excludes every idea of malice."

My Lords, the law continued on this footing until an Act of Parliament was passed in the forty-third year of the reign of King George 3rd, which is commonly called Lord Ellenborough's Act. That did not repeal the Black Act, but considerably extended its provisions; and amongst other enactments it contains this: "That if any person shall wilfully and maliciously and unlawfully shoot at any of his Majesty's subjects, with intent in so doing, or by means thereof, to murder or rob, or to maim, disfigure, or disable such his Majesty's subject or subjects, or with intent to do some other grievous bodily harm to such his Majesty's subject or subjects," he shall be guilty of felony, without benefit of clergy. This Act, however, contains an express proviso, "That if it shall appear, upon the trial of any person or persons indicted for the wilfully, maliciously, and unlawfully shooting at any of his Majesty's subjects, that if death had ensued therefrom it would not have amounted to murder, the person indicted must be acquitted." Your Lordships will observe by this Act of Parliament it is a capital offence to shoot at, with intent to murder, or with intent to maim, disfigure, or disable, or do some grievous bodily harm, but that it is a case within the statute, only supposing that if death had ensued it would have amounted to the crime of murder.

The next statute upon this subject is the ninth of George 4th, cap. 21, which, I believe, is generally called Lord Lansdowne's Act; that noble Lord, as Secretary of State for the Home Department, having introduced it into Parliament. It is intituled, "An Act to Consolidate and Amend the Statutes relating to Offences against the Person." It repeals the Black Act, and it repeals Lord Ellenborough's Act, but it contains similar provisions to those of Lord Ellenborough's Act. By the eleventh section it is enacted, "That if any person shall unlawfully and maliciously shoot at any person, with intent to murder, he shall suffer death as a felon;" and by the twelfth section it is enacted, "That if any person unlawfully and maliciously shall shoot at any person, with intent to maim, disfigure, or disable him, or do some other grievous bodily harm, he shall suffer death as a felon." But then, my Lords, this Act of Parliament contained expreesly the same proviso as was inserted in

Lord Ellenborough's Act, that if, upon the trial, it shall turn out that if death had ensued, the case would not have amounted to murder, the prisoner shall be acquitted. It was still a capital offence to shoot at, with intent to murder, or with intent to maim, disfigure, or do grievous bodily harm, although no wound were inflicted.

Things remained upon this footing until the Act passed upon which this indictment is framed. This Act received the royal assent on the 17th of July, 1837. It is the first of Victoria, cap. 85, intituled, "An Act to Amend the Laws relating to Offences against the Person." The preamble recites, "Whereas it is expedient to amend so much of an Act passed in the ninth year of the reign of King George 4th, as relates to any person who shall unlawfully and maliciously shoot at any person with any of the intents therein mentioned." It repeals the ninth of George 4th, *pro tanto;* and then by the second section, it enacts, "That whosoever shall stab, cut, or wound any person, or shall, by any means whatsoever, cause to any person any bodily injury dangerous to life, with intent, in any of the cases aforesaid, to commit murder, shall be guilty of felony, and, being convicted thereof, shall suffer death." Therefore, to shoot at, and to give a wound dangerous to life, remains a capital offence; but shooting at, where no wound is inflicted, is no longer a capital offence, and is a felony only, liable to be punished with transportation or imprisonment, whether the intent be to commit murder, or to maim or disable, or do any other grievous bodily harm.

By the third section it is enacted, "That whosoever shall shoot at any person, or shall, by drawing a trigger, or in any other manner, attempt to discharge any kind of loaded arms at any person, with intent in any of the cases aforesaid to commit the crime of murder, shall, although no bodily injury shall be effected, be guilty of felony, and, being convicted thereof, shall be liable, at the discretion of the Court, to be transported beyond the seas for the term of his or her natural life, or for any term not less than fifteen years, or to be imprisoned for any term not exceeding three years." Then, my Lords, by the fourth section it is enacted, "That whosoever unlawfully and maliciously shall shoot at any person, or by drawing a trigger attempt to discharge any kind of loaded arms at any person, with intent to maim, disfigure, or disable such person, or to do some other grievous bodily harm to such person, he shall be guilty of felony, and, being convicted thereof, shall be liable" to the same punishment provided by the third section of the Act of Parliament.

My Lords, this Act contains no such proviso as you find in Lord Ellenborough's Act, or in that of the ninth of George 4th,—a circumstance which it will be material for your Lordships to bear in mind when you come to deliberate upon the second and third counts of this indictment.

My Lords, I am happy to say that this indictment contains no count upon the capital charge. A wound was inflicted, but the prosecutor, very properly, has restricted the charge to firing at,—with different intents, — without alleging that a wound dangerous to life was inflicted. The first

count of the indictment charges that the Noble Lord shot at Captain Tuckett with intent, in the language of the law, to commit the crime of murder; the second count of the indictment charges his Lordship with the same act, with intent to maim and disable; the third count charges him with the same act, with the intent to do some grievous bodily harm. Now, it will be for your Lordships to say whether, upon the facts which I shall shortly detail to you, and which I am instructed will be clearly made out in evidence, each and every one of these counts must not be considered as fully established.

My Lords, upon the 12th day of September last, the Earl of Cardigan fought a duel with pistols, on Wimbledon Common, with Captain Harvey Tuckett, and wounded him at the second exchange of shots. It will appear before your Lordships, that at about five o'clock in the afternoon of that day two carriages were seen to come in opposite directions to the neighbourhood of Wimbledon Common, and a party alighted from each. It was evident to those who observed what was taking place that a duel was in contemplation. The parties came to a part of Wimbledon Common between the road that leads by Earl Spencer's park and a windmill standing upon the top of the common. The seconds first took possession of the ground, and made the usual preparations. The principals, the Earl of Cardigan and Captain Tuckett, were then placed at a distance of about twelve yards from each other: they exchanged shots without effect; they received from their seconds each another pistol; they again fired, and Captain Tuckett was wounded by Lord Cardigan. There came up, almost immediately, Mr. Dann, who occupies the mill to which I have referred, and his son, with Sir James Anderson, a surgeon, who had been standing close by. The wound was examined; it bled profusely; but most fortunately, and I believe no one rejoices in that more than the Earl of Cardigan, it proved not to be of a dangerous nature. The parties were all removed by the miller, who was a constable, and took them into custody. The wound was further examined at his house, and Sir James Anderson pressed that he might be at liberty to take Captain Tuckett to his house in London; which was immediately acceded to, upon his promising to appear, when he had recovered, before the magistrates.

The miller retained the Earl of Cardigan, and his second, Captain Douglas, in custody. Captain Douglas was the second of the Earl of Cardigan, and Captain Wainwright the second of Captain Tuckett. The Earl of Cardigan had still a pistol in his hand when the miller approached. There were two cases of pistols on the ground, one with the crest of the Earl of Cardigan upon it, which he claimed as being his property. The party were conducted before the magistrates at Wandsworth, and, upon alighting from his carriage, Lord Cardigan made use of these words, "I have fought a duel, and hit my man, I believe not seriously." He then, pointing to Captain Douglas, said, "This gentleman is also a prisoner, and my second." He was asked whether the person that he had hit was Captain Reynolds? upon which he said, "Do you think I

would condescend to fight with one of my own officers? His Lordship was compelled by the magistrates to enter into a recognizance to appear when called for, which he did from time to time, till at last the matter was sent to the Central Criminal Court.

My Lords, the witnesses whom I shall call before you are the miller, his wife, and his son, with a policeman of the name of Busain, who was at the station-house, and who will speak to the declarations made by Lord Cardigan, and what then took place. I shall offer no evidence, and I can offer no evidence, before your Lordships, respecting the origin of the quarrel. Captain Douglas is to take his trial for this offence; he, as your Lordships would observe, is jointly indicted with the Earl of Cardigan. A bill of indictment was also preferred against Captain Tuckett and Captain Wainwright; it was thrown out by the Grand Jury, but, as your Lordships well know, they are still liable to be tried, and it would not be decorous that I should summon them before your Lordships to give evidence which might afterwards be turned against themselves. I shall call before your Lordships Sir James Anderson, who has hitherto spoken freely upon the subject, and, I suppose, will make now no objection to state to your Lordships all which fell within his observation.

Now, my Lords, upon these facts it will be for your Lordships to say whether all the counts in the indictment are not fully proved and supported. My Lords, with regard to the first, it is painful to use the language which it necessarily employs; but it will be for your Lordships to say whether, in point of law, the Earl of Cardigan did not shoot at Captain Tuckett with intent to commit that crime which is there alleged. My Lords, I at once acquit the Earl of Cardigan of anything unfair in the conduct of this duel. Something has been said respecting his Lordship's pistols having rifle barrels, and those of Captain Tuckett not having rifled barrels. My Lords, however that may have been, I have the most firm conviction that nothing but what was fair and honourable was intended, and that the Earl of Cardigan most probably imagined, when he carried those pistols to the field with him, that one of them would be directed against his own person. Nor do I suppose, my Lords, that there was in the mind of Lord Cardigan any grudge against Captain Tuckett,—any personal animosity,—any rancour or malignity. Whether his Lordship gave or received the invitation, I am willing to believe that his only object was to preserve his reputation, and to maintain his station in society as an officer and a gentleman. His Lordship is in the army, he is Lieutenant-Colonel of the 11th Hussars; and I have no doubt that he, upon this occasion, only complied with what he considered necessary according to the usages of society. Under these circumstances, if death had ensued, in the opinion of mankind it would have been regarded rather as a great calamity than as a great crime. But although moralists of high name have excused or even defended the practice of duelling, your Lordships must consider what it is by the law of England. My Lords, by the law of England there can be no doubt that parties who meet deliberately to fight a duel, if death ensues, are guilty

of the crime of murder. It will be my duty, my Lords, to state to your Lordships a few of the leading authorities upon that subject. I will cite to you the opinions of —Hale, Hawkins, Foster, and Blackstone, the greatest names in our law.

My Lords, in Hale's Pleas of the Crown, the first volume, page 453, it is thus laid down, "If A. and B. fall suddenly out, and they presently agree to fight in the field, and run and fetch their weapons, and go into the field and fight, and A. kills B. this is not murder, but homicide; for it is but a continuance of a sudden falling out, and the blood was never cooled; but if there were deliberation, as that they meet the next day,—nay, though it were the same day, if there were such a competent distance of time that in common presumption they had time of deliberation, then it is murder."

In the first volume of Hawkins's Pleas of the Crown, chapter 31, section 21, I find this passage, "It seems agreed that wherever two persons in cool blood meet and fight on a precedent quarrel, and one of them is killed, the other is guilty of murder, and cannot help himself by alleging that he was first struck by the deceased, or that he had often declined to meet him, and was prevailed upon to do it by his importunity, or that it was his only intent to vindicate his reputation, or that he meant not to kill, but only to disarm his adversary; for since he deliberately engaged in an act highly unlawful, in defiance of the laws, he must at his peril, abide the consequences thereof. And from hence it clearly follows that if two persons quarrel over night and appoint to fight next day, or quarrel in the morning and agree to fight in the afternoon, or such a considerable time after, by which, in common intendment, it must be presumed that the blood was cooled, and then they meet and fight, and one kill the other, he is guilty of murder: And wherever it appears, from the whole circumstances of the case, that he who kills another on a sudden quarrel was master of his temper at the time, he is guilty of murder; as if after the quarrel he fall into other discourse, and talk calmly thereon; or perhaps if he have so much consideration as to say, that the place wherein the quarrel happens is not convenient for fighting; or that if he should fight at present, he should have the disadvantage by reason of the height of his shoes." That, your Lordships may know, refers to Lord Morley's case, where though your Lordships held it was a case of manslaughter, that circumstances was strongly pressed to show that it was an offence of a deeper dye.

Then, my Lords, Sir Michael Foster, in his discourse upon homicide, chapter 5, section 5, says, "Upon this principle, deliberate duelling, if death ensueth, is, in the eye of the law, murder, for duels are generally founded in deep revenge; and though a person should be drawn into a duel, not upon a motive so criminal, but merely upon the punctilio of what the swordsmen falsely call honour, that will not excuse; for he that deliberately seeketh the blood of another upon a private quarrel acteth in defiance of all laws, human and divine, whatever his motive may be. But if, as I said before, upon a sudden quarrel, the

parties fight upon the spot, or if they presently fetch their weapons, and go into the field and fight, and one of them falleth, it would be but manslaughter, because it may be presumed the blood never cooled. It will be otherwise if they appoint to fight the next day, or even upon the same day, at such an interval as that the passion might have subsided, or, if, from any circumstances attending the case, it may be reasonably concluded that their judgment had actually controlled the first transports of passion before they engaged. The same rule will hold, if after a quarrel, they fall into other discourse or diversions, and continue so engaged a reasonable time for cooling."

Finally, my Lords, Blackstone, in the fourth volume of his Commentaries, at p. 199, thus writes, when describing and defining the crime of murder:—"This takes in the case of deliberate duelling, where both parties meet avowedly with an intent to murder." My Lords, he is not here qualifying a case in which he considers it to be murder, but he states that in all cases where parties do so meet it is murder. "This takes in the case of deliberate duelling, where both parties meet avowedly with an intent to murder, thinking it their duty as gentlemen, and claiming it as their right, to wanton with their own lives and those of their fellow-creatures, without any warrant or authority from any power either divine or human, but in direct contradiction to the laws both of God and man, and therefore the law has justly fixed the crime and punishment of murder on them, and on their seconds also."

My Lords, these are the highest authorities known to the law of England, and these authorities are uniformly followed by the judges of the land. One of the most recent cases is Mirfin's, which occurred within a few years at the Central Criminal Court, and in which the same doctrine was laid down and acted upon. There is the still more recent case of Sir John Jeffcott, which was tried before Mr. Justice Patteson, a most learned judge, upon the western circuit, and upon that occasion his Lordship laid down the same law in the most precise and emphatic terms.

Such being the definition of murder to be found in all our books of authority, and such being the definition of it constantly given from the bench upon the trial of those who have stood upon their deliverance for life or for death,—are not your Lordships to suppose that the legislature makes use of the term "murder" in the same sense; and that when we find in Lord Ellenborough's Act, in the ninth George 4th, and in this act of the 1st of Victoria, the expression "with intent to murder," it means with intent to do that which if accomplished, amounts, in point of law, to the crime of murder? The legislature when they passed this act, must be taken (your Lordships gave your sanction to this act) to have well known what was the legal definition of murder, and to have used that expression in its legal sense. Then, my Lords, however painful the consideration may be, does it not necessarily follow that the first count of this indictment is completely proved? The circumstances, my Lords, clearly show that the Earl of Cardigan and Captain Tuckett met by appointment. Lord Cardigan, the

ground being measured out, twice fires loaded pistols; he takes deliberate aim; he wounds his antagonist. He must be supposed to have intended that which he did. If unfortunately death had ensued, would not his have been a case of murder? My Lords, the only supposition by which the case could be reduced to one of manslaughter would be, that Lord Cardigan and Captain Tuckett casually met on Wimbledon Common; that they suddenly quarrelled; and that while their blood was hot they fought. But your Lordships can hardly strain the facts so far as to suppose that this was a casual meeting, when you find that each was supplied with his second, that each had a brace of pistols, and that the whole affair was conducted according to the forms and solemnities observed when a deliberate duel is fought.

Then, my Lords, with regard to the second and third counts of the indictment, I know not what defence can possibly be suggested; because, even if, contrary to all probability and all the circumstances of the case, there had been this casual meeting,—if it would only, had death ensued, have amounted to the crime of manslaughter, that would be no defence to the second and third counts of the indictment. My Lords, I presume to say so upon the authority of a case which came before the fifteen judges of England, and which was decided by them; two most learned judges doubting upon the occasion,—not dissenting. The two judges were, his Grace the Lord High Steward and Mr. Justice Littledale. It would not become me to say anything of the opinion I entertain of the learning of his Grace, before your Lordships, but of Mr. Justice Littledale I may say there never was a more learned or acute judge. The bar of England have lately taken leave of him with the greatest reluctance and regret. I therefore would ascribe the greatest weight to any doubts even in such a quarter; but, my Lords, the other thirteen judges entertained no doubt; and they came to the conclusion, that upon the fourth section of this Act of Parliament it is not necessary for a conviction, that if death had ensued the crime should amount to murder. The case to which I refer, my Lords, is to be found in the second volume of Moody's Crown Cases, p. 40. The case was tried before Mr. Baron Parke, upon the Norfolk Spring Circuit, in the year 1838.

Lord High Steward.—What is the name?

Mr. Attorney-General. — The report, my Lord, is headed "Anonymous." The name of the prisoner is not given, but the report seems very authentic. I believe it is in the words of the statement submitted by the learned judges for the opinion of their brethren; and it will be found, I apprehend, expressly in point. "The opinion of the judges was requested by Mr. Baron Parke and Mr. Baron Bolland, upon two questions which arose on the Norfolk Spring Circuit, 1838."* It is only the first which is material here. "Is it now a defence to an indictment for wounding with intent to maim, &c., that if death had ensued the offence would not have been murder, but manslaughter?" Your Lordships will observe, that shooting at with

* Moody's Crown Cases, Reserved, vol. ii. page 40.

intent to maim or disable, and stabbing with intent to maim or disable, are in the same category, are subject to the same punishment, and must be attended with all the same rules and incidents. This, therefore, my Lords, would have the same authority as if the case submitted to the judges had been, whether, on an indictment for shooting at with intent to disable, it would be a defence to show, that if death had ensued, the crime would not have amounted to murder. The arguments are not given, but this is the decision of the judges:—"At a meeting of the judges, in Easter Term, 1838, they all thought it to be now no defence to such an indictment, that if death had ensued the offence would not have been murder, but manslaughter, except Lord Denman, Chief Justice, and Littledale, Justice, who doubted." They did not dissent, they only doubted; the other thirteen judges seem clearly to have held, that this would not now amount to any defence, and I humbly apprehend, that they probably reasoned in this manner,—that the intention of the legislature being to mitigate the penal code and to make offences which before were capital, punishable only with transportation or imprisonment,—if there were a shooting or stabbing with intent to maim or disable upon a casual scuffle, in heat of blood, without premeditation, still it is meant to be an offence within this section of the Act of Parliament, which gives a discretionary power to the court before whom the offender is tried, either to transport for fifteen years or to imprison for a single hour. Therefore those learned judges, seeing the discretion that was given with regard to punishment,—seeing the omission of the proviso,—and seeing that it was no longer a capital offence,—came to the decision, that the offence was committed, though, if death had ensued, the crime would not have amounted to murder. Now, my Lords, looking to the authority of that case, I know not what defence can possibly be attempted with regard to the counts of the indictment charging the intent to maim and disable and do grievous bodily harm. The noble Earl must be supposed to have intended that which upon a second attempt he actually accomplished.

My Lords, I rejoice to consider that the noble prisoner will have an advantage denied to every individual who has hitherto been tried at your Lordships' bar for felony;—an advantage which was not enjoyed by Lord Lovat, or Lord Byron, or Lord Ferrers, or the Duchess of Kingston; he will have the advantage of my most able and ingenious and Honourable Friend, Sir William Follett, addressing your Lordships in his behalf upon the facts and merits of the case. This arises, my Lords, from that most admirable law which your Lordships passed a few years ago, by which in all cases of felony the party accused has the benefit of an address by counsel to the tribunal who are to determine upon his guilt or his innocence. But, my Lords, notwithstanding the learning, the ability, and the zeal of my Honourable and Learned friend, Sir William Follett, I know not how he can persuade your Lordships to acquit upon any one count of the indictment. He will not ask your Lordships, and he would ask you in vain, to forget the law by which you are bound. My Lords, Cap-

tain Douglas stands upon his trial before an inferior tribunal; that trial has been postponed by the judges upon the express ground that this case should first be tried by the highest criminal court known in the empire. You, my Lords, are to lay down the law by which all inferior courts are to be governed.

My Lords, I would beg leave upon this subject to read the words made use of at this bar by one of the most distinguished of my predecessors, who afterwards, for many years, presided with great dignity upon the woolsack in your Lordships' house; I mean Lord Thurlow. When Attorney-General, addressing your Lordships in the case of the Duchess of Kingston, he makes use of these expressions:—"I do desire to press this upon your Lordships as an universal maxim: no more dangerous idea can creep into the mind of a judge than the imagination that he is wiser than the law. I confine this to no judge, whatever be his denomination, but extend it to all; and speaking at the bar of an English court of justice, I make sure of your Lordships' approbation when I comprise even your Lordships, sitting in Westminster Hall. It is a grievous example to other judges. If your Lordships assume this sitting in judgment, why not the King's Bench? Why not the commissioners of oyer and terminer? If they do so, why not the quarter sessions? Ingenious men may strain the law very far; but to pervert it, to new model it—the genius of our constitution says judges have no such authority, nor shall presume to exercise it."

My Lords, I conclude with respectfully expressing my conviction that, at the conclusion of this trial, your Lordships' judgment, whatever it may be, will be according to the law and justice of the case, and that your Lordships will preserve that high reputation in the exercise of your judicial functions which has been so long enjoyed by your Lordships and your ancestors.

Thomas Hunt Dann was then called and examined by Mr. Waddington. — *Q.* Are you a miller living at Wimbledon? *A.* Yes.

Q. Is your mill close to Wimbledon Common? *A.* Yes.

Q. Do you remember about five o'clock that afternoon, a gentleman's carriage driving down the common?

[This question was objected to by the opposite counsel as a leading question.]

Q. Did you observe anything before dark that day? *A.* I saw a carriage drive opposite Mr. James Currie's, and there stop.

Q. Where did that carriage drive to? *A.* It stopped there.

Q. On the common, or on the road adjoining the common? *A.* It was on the common.

Q. Is that on the edge of the common it stopped? *A.* Yes.

Q. Was that the only carriage you saw. *A.* No.

Q. Tell us what other you saw? *A.* I saw one on the place of Earl Spencer, and one on the road that leads from Wandsworth to Wimbledon.

Q. Was it moving, or had it stopped? *A.* I saw it stopping.

Q. Did you see any one get out of either of those carriages? *A.* I am not certain that I did.

Q. Did you see any persons on the common shortly after you saw the carriages? *A.* I saw two persons coming from the first carriage, and two from the second.

Q. What did you see them do? *A.* I saw one go into Wimbledon parish and one into Wandsworth, and from the other carriage they divided also, one into Putney and the other into Wandsworth parish.

Q. Is part of the common in Wandsworth parish and part in Wimbledon parish? *A.* Yes; and part in Putney.

Q. One of the gentlemen went to the part of the common in Wimbledon parish, and another to that in Wandsworth, and another to that in Putney? *A.* Yes.

Q. Look at his Lordship at the bar, and say if that was one of the gentlemen? *A.* It is.

Q. Did you see anything more done at that time? *A.* At that time I suspected it was a duel.

Q. Do not tell us what you suspected; did you see anything more at that time? *A.* No.

Q. Did you give any directions to your wife? Do not tell us what they were. *A.* I did.

Q. What did you then do? *A.* When I was called by my wife—

Q. You went to another part of your mill, did you, after giving those directions to your wife? *A.* Yes.

Q. Were you afterwards called by your wife? *A.* I was.

Q. What did you then do? *A.* I went in doors, and got my staff, and then came to the gate.

Q. You went into your house, and got your constable's staff, and came to your gate? *A.* Yes.

Q. What did you do when you came to the gate? *A.* I saw two gentlemen, standing about twelve yards apart, presenting pistols at each other, and at that moment they fired at each other.

Q. Did they fire at the moment you arrived at your gate? *A.* Near about that.

Q. Was his Lordship one of those gentlemen? *A.* Yes.

Q. Did you hear the reports of two pistols? *A.* I did.

Q. Did you see any other gentlemen at the same time? *A.* I saw one prior to that standing under Mr. Currie's hedge.

Q. I ask you, at the time the pistols went off did you see any other gentlemen? *A.* There were four.

Q. Did you see the other two at that time? *A.* I did; standing on the right hand.

Q. Were they standing together? *A.* Nearly so; not far apart.

Q. On the right hand of the gentlemen who fired? *A.* Yes.

Q. Had Lord Cardigan his face to you, or his back to you? *A.* His face to me.

Q. Where was the other gentleman who fired, standing? *A.* Standing nearer to me, with his back partly to me.

Q. And Lord Cardigan opposite to him, with his face to you? *A.* Yes.

Q. Now state what took place after the two shots were fired? *A.* I then made the best of my way to the ground, and the second shot took place when I was about fifteen yards on the left.

Q. Fifteen yards from the gentlemen who fired, do you mean? *A.* Yes.

Q. How far was the gate of your house from the spot where the gentlemen stood when they fired? *A.* Two hundred and twenty yards.

Q. As you were running up from your gate towards the gentlemen, did you see what was done before the second shot was fired? *A.* I saw them in the act of getting fresh pistols.

Q. Tell me how that was done?

A. I cannot exactly say; what with running I do not know exactly; but they had fresh ones.

Q. Did you see who gave them the fresh pistols? *A.* Those two gentlemen that acted as seconds.

Q. Were those the gentlemen that you have described as standing on the right? *A.* Yes.

Q. Did you observe whether Lord Cardigan moved from his place or not between the firing of the first and second shots? *A.* Yes; he advanced forwards, and then drew back again.

Q. Do you mean that he went towards the gentleman that was opposite to him, or towards the seconds? *A.* Towards the seconds.

Q. He drew back to the place he first occupied? *A.* Yes.

Q. You tell us you saw the pistols fire a second time; did you observe whether either of the shots took effect? *A.* I thought that Captain Tuckett was wounded,—or at least the other gentleman; I did not know who it was.

Q. You thought that the gentleman that you afterwards ascertained to be Captain Tuckett was wounded? *A.* Yes.

Q. Did you see what that gentleman did with his pistol after the second shots were fired? *A.* No.

Q. You did not see whether he held it in his hand, or what he did with it? *A.* Which are you alluding to?

Q. I am speaking of Captain Tuckett.

Sir William Follett.—He says he did not know who he was.

Mr. Waddington.—Did you see whether the other gentleman did any thing with his pistol when the second shots were fired? *A.* I took one pistol from Lord Cardigan's hand,—at least from one gentleman.

Q. Did you see whether the other gentleman who fired, not Lord Cardigan, did any thing with his pistol after the second shot was fired? *A.* No; I cannot say what became of it; I did not see.

Q. Did you then go up to the gentlemen? *A.* I did.

Q. What did you do when you got up to them? *A.* I went up to the gentleman that was farthest from me, whose face was towards me, and put my hand on his shoulder, and told him that for a breach of the peace he must consider himself in my custody, in the name of her Majesty, our Sovereign Lady, the Queen.

Q. Was that his Lordship? *A.* It was.

Q. Had his Lordship a pistol in his hand at that time? *A.* He had.

Q. What became of it? *A.* I took it from his hand.

Q. Did you keep it in your possession? *A.* I was requested then to allow them all to be packed up in their cases; the four pistols. They were done so, and I then took possession of the two cases.

Q. By whom were you requested? *A.* I cannot say which gentleman.

Q. By one of the gentlemen? *A.* Yes.

Q. That was done, and you took possession of the cases and pistols? *A.* Yes.

Q. How many pistols were there? *A.* Four.

Q. You put two in each case? *A.* Yes.

Q. And then took possession of the whole? *A.* Yes.

Q. Did a fifth gentleman come up? *A.* There was a fifth gentleman at the time that I got up, or near about the time. After I had addressed Lord Cardigan in the

way I did, I looked round, and I then saw five.

Q. What did the fifth gentleman do? *A.* Attended the gentleman that was wounded.

Q. Did you see yourself whether the other gentleman was wounded or not? *A.* I did not.

Q. After you had laid your hand on Lord Cardigan's shoulder, and said to him what you have told us, what was done next? *A.* I turned round to the others, and stated to the same effect to them.

Q. What was done then? *A.* I believe the doctor wished me to allow him to take the wounded gentleman to my house.

Q. Did he say so in the presence of Lord Cardigan? *A.* In the presence of all that were there.

Sir William Follett.—He said so, did he? *A.* Yes.

Lord Wynford.—Do you know, or did you know, that gentleman to be a medical man? *A.* I did not then, my Lord.

Mr. Waddington. — You had never seen any of them before? *A.* No, I had not.

Q. Was he examining the gentleman whom you supposed to have been wounded? *A.* Not in my presence; at least I did not see him. I was then turned round with his Lordship.

Q. Did you all go to your house? *A.* Yes.

Q. All the five gentlemen and yourself? *A.* All went into my yard,—not into the house.

Q. Tell me what took place after the five gentlemen got into your yard? *A.* We waited till the wounded gentleman retired to my room.

Q. Did you see the wounded gentleman retire into a room in your house? *A.* I saw him go into the room, and I saw him come out.

Q. Did he go into the room by himself or did any one go with him? A. No; one gentleman went with him.

Q. Was that the gentleman whom you suppose to be the doctor? *A.* Yes.

Q. Did you see your wife take any thing into the room where they were? *A.* I did not.

Q. Did they presently come out of the room? *A.* Yes.

Q. What was done then? *A.* One gentleman asked me to allow the wounded gentleman to return to his own home, and I gave consent by their giving me a card of their address.

Q. That is, the gentleman that wanted to go home? *A.* Yes.

Q. The wounded gentleman gave you a card of his address? *A.* I have a card of his, but whether he gave it me or another gentleman I am not certain.

Q. Have you got it here? *A.* I have.

Q. Produce it?

Sir William Follett.—We cannot have that card in evidence unless it came from Lord Cardigan; it cannot be made evidence against him unless that be shown.

Mr. Waddington.—Was Lord Cardigan present when this card was given? *A.* In the yard.

Lord Wynford.—Was he near enough to see what was done? *A.* Yes.

Q. And to hear what passed between you and the other gentlemen? *A.* I should think so; I cannot say exactly.

Sir William Follett.—Will you ask him whether the card was given to him in the house or in the yard?

Mr. Waddington.—Was the card given to you in the house or in the yard? *A.* In the yard.

Q. I think you said you thought it was not Captain Tuckett that gave it you, but another gentleman. How was that? *A.* I am not certain which gave it me.

Q. What do you mean by "which?" *A.* "Which" of the two gentlemen that wished to go away.

Q. Were they together when it was given to you? *A.* Yes.

Lord Wynford.—Lord Cardigan was not one of the two that wished to go away, was he? *A.* No.

Mr. Waddington.—Were the two that wished to go away, the wounded gentleman and another of the party? *A.* Yes.

Q. And upon your telling them that they might go upon giving you their card, one of them gave you the card you now produce? *A.* Yes.

Sir William Follett.—Do not read that card yet.

Mr. Waddington.—I propose to read it. Do you make any objection to it?

Sir William Follett.—Certainly.

Mr. Waddington.—I now propose, my lords, to read this card.

Sir William Follett.—The counsel for the prosecution in this case are proposing to read a card, for the purpose, I presume, of proving who one of the parties was upon this occasion.

Lord High Steward.—Do you object to its being read?

Sir William Follett.—I object to any thing of the kind, my Lord.

Lord High Steward.—Mr. Attorney General, do you think it material to tender that evidence at present?

Mr. Attorney General.—We will waive it for the present.

Mr. Waddington.—Did the other gentleman that wanted to go away write something in pencil upon the back of the card? *A.* Yes.

Q. Upon receiving this card did you allow them to go? *A.* Yes.

Q. In consequence of receiving this card, did you afterwards call at a particular house?

Sir William Follett.—I wish you would not lead him so much. You ask him whether in consequence of a certain thing he went to a certain place.

Mr. Waddington.—I apprehend it is a strictly correct question. Do you object to the question?

Sir William Follett.—I certainly object to its form. Alter the form of it.

Mr. Waddington.—Then I will not ask that at present. Did you afterwards go to a house in Hamilton Place? *A.* I did.

Q. On what day was that? *A.* If you will allow me to refer, I can state the day of the month.

Q. What do you wish to refer to? *A.* I have made a memorandum of it.

Sir William Follett.—When did you make it? *A.* At the time.

Mr. Waddington.—Take it out.

[The witness referred to the memorandum.]

A. On the 18th of September I went to Hamilton Place.

Q. What number? *A.* 13.

Q. Whom did you ask to see? *A.* Captain Harvey Tuckett.

Q. Whom did you see? *A.* I saw Captain Harvey Tuckett.

Q. Did you speak to him? *A.* I did.

Sir William Follett.—I wish you would put your questions differently.

Mr. Attorney General.—We ask him whom he saw.

Sir William Follett.—He does not know Captain Harvey Tuckett I suppose.

Mr. Waddington.—He asked for

Captain Harvey Tuckett, and he saw this gentleman.

Mr. Attorney General. — It is quite regular.

Mr. Waddington. — Did you speak to him? *A.* I did.

Q. Did you call him by that name? *A.* I do not know that I addressed him by any name.

Q. Had you seen that gentleman before? *A.* I had.

Q. Where? *A.* On Wimbledon Common.

Q. What was he doing there? *A.* Fighting a duel.

Q. Was that the gentleman that you have described as the gentleman who stood opposite to Lord Cardigan? *A.* Yes.

Q. How many gentlemen went away upon your receiving this card? *A.* There were three went; two with my permission, and one went without.

Q. Did Lord Cardigan remain? *A.* He did.

Q. Where did you take him? *A.* To the station-house at Wandsworth.

Q. How soon after? *A.* Directly afterwards.

Q. What did you do with the pistols after they had been put into the cases? *A.* Took them to Wandsworth.

Q. Where did you take them to at Wandsworth? *A.* To the station-house.

Q. Did you give them to any one? To the inspector.

Q. What was his name? *A.* Busain.

Q. Was any thing said by Lord Cardigan respecting the pistols in your presence? *A.* Lord Cardigan owned one case.

Q. Will you state what he said, that you recollect? *A.* I do not recollect that he said any thing particular, more than "This is mine," or something similar to that. I am not certain of the words.

Q. Did you observe any thing upon that case? *A.* A crest.

Q. Did you ever see the fifth gentleman afterwards, whom you have called "the doctor?" *A.* Yes.

Q. Where was that? *A.* At the office at Wandsworth.

Q. Do you mean the station-house or the magistrate's house? *A.* I mean the magistrate's house.

Q. On what day was that? *A.* On the 14th.

Q. What was going on at the office upon the 14th? *A.* The examination.

Q. Of whom? *A.* Of Lord Cardigan.

Q. Did you afterwards see him anywhere else? *A.* I have seen him at his own house.

Q. Where was that? *A.* I entirely forget the number and the street, but it is very handy to Piccadilly.

Q. Was his name on the door? *A.* I think it was.

Q. What was the name on the door of the house where you saw him? *A.* "Sir J. E. Anderson."

Cross-examined by Sir William Follett.

Q. Will you give me those memorandums of yours? (The same were handed to Sir William Follett). When did you write these? *A.* Every day as they occurred.

Q. Beginning with September the 12th? *A.* Yes.

Q. Who desired you to do so? *A.* On my own part, for my expenses.

Q. Were you desired by any one to do it? *A.* No, I was not.

Lord Wynford.—Did you write them upon that paper at first, or upon some other paper? *A.* I believe I copied them from another paper.

Sir William Follett.—When did you copy them? *A.* Some time since; I cannot say exactly.

Q. What is the meaning of these sums; does this "20" mean 20*s.*? *A.* No; it means miles.

Q. So many miles that you went? *A.* Yes.

Q. You seem to have gone about a good deal upon this business; who ordered you to do it? *A.* The magistrates.

Q. What magistrates? *A.* At Wandsworth.

Q. What are their names? *A.* Mr. Nottidge the chairman, Mr. Bainbridge, Mr. Wilson, and Captain Page.

Q. Who gave you the order to go to the house in Hamilton-place? *A.* The first order was from the policeman and from the inspector, and I understood that came from the magistrates.

Q. Then you received no order from the magistrates to go there? *A.* A note from the inspector first.

Q. Did you go there more than once? *A.* I went three times.

Q. All by the same order? *A.* No; once was by Captain Page's order, I think.

Q. What had the magistrates to do with it; what had they to do with sending you about in this manner? *A.* Their first object in sending me was to inquire as to the state of Captain Tuckett's health.

Q. By whom were you sent to Mr. Wainwright, and to these various places; who ordered you to go; was it the magistrates? *A.* Yes.

Q. Were the magistrates taking up this prosecution, or what made them send you about? *A.* I do not know.

Q. Were they not the magistrates, the judges, before whom the complaint had been lodged originally? *A.* Yes.

Q. They were the persons that sent you to these different places to make inquiries and so on? *A.* Yes.

Q. Did they send you to the Old Bailey also? *A.* I had a bond to take me there, and I was also informed by the inspector when I was to go.

Q. You were examined as a witness before the grand jury. *A.* Yes.

Q. Were you also examined before the grand jury upon the bill against the other parties? *A.* Yes.

Q. The bill that was thrown out? *A.* Yes.

Q. The same witnesses were examined upon both, were they not? *A.* Yes.

And you gave the same evidence upon both? *A.* Yes.

Q. One bill was thrown out, and the other found? *A.* Yes.

Q. Now will you have the goodness to go back to the statement you made first. You say you saw certain persons coming from the carriages? *A.* Yes.

Q. The persons you saw coming from the carriages, did you see them about the place where you afterwards saw the firing? *A.* Yes.

Q. The same place? *A.* Yes.

Q. You stated that when you saw them coming from the carriages to the place you then recognized one of them to be the noble Lord who is now sitting there? *A.* Yes.

Q. What is the distance from your mill where you were standing to that place? *A.* Two hundred and twenty yards.

Q. Do you mean to state upon your oath before their Lordships, that at the distance of two hundred and twenty yards, you were able to recognize any of the parties?

A. No; but then I did not lose sight of them.

Q. But your oath was, that at that time you knew him to be Lord Cardigan. Is that true or not? *A.* No, I have never gone to say that; it is a mistake. I never intended to say that I knew him or any one else at that distance.

Q. Could you know any of the parties, at the distance they were from your house, so as to be able to speak to them again? *A.* No.

Q. Therefore, when you first saw the parties, you were not able to distinguish their features or their persons? *A.* No.

Q. Then you went to your gate afterwards, and you say, that when you saw the firing you were standing at your garden gate? *A.* No, I was coming out at the gate.

Q. That is about the same distance? *A.* It is two hundred and twenty yards.

Q. Then at the time the shot was fired, which you saw coming out of your garden gate, could you have recognized at all the persons? *A.* No.

Q. You say you went towards them? *A.* I did.

Q. When were you first able at all to distinguish the persons? *A.* I did not lose sight of them.

Q. I am not asking whether you lost sight of them; I ask you when you were first able to distinguish the persons? *A.* The next time I saw them I recollected them again.

Q. When, upon this occasion, were you first able to discover who the persons were, or to know them; was it after the second shot was fired? *A.* After the second shot.

Q. Then, at the time the second shot took place, you were not able to recognize or know who the persons were that were firing? *A.* No; but after that I should know them again.

Q. How could you know them again, if you were not able to see their persons at that time? *A.* I did see them.

Q. Did you see them so as to know them before the second shot was fired? *A.* No, not before the second shot was fired.

Q. Then when did you first see them so as to know the noble Earl who is sitting there; what was he doing when you were able to see his person so as to recognize him? *A.* He was standing at the very spot.

Q. That was when you came up? *A.* Yes.

Q. Where were all the other gentlemen at that time? *A.* Close by.

Q. What were they doing? *A.* I cannot exactly say what they were doing for a few minutes, because my attention was directed entirely to his Lordship.

Q. You do not know what the others were doing? *A.* Not for a second or so. When I turned round I saw the other four standing.

Q. Were you at all able to tell which of the other parties it was that fired the shot? A. I am certain as to who was the party, because I never lost sight of them till I got up to them.

Q. How does that make you certain as to who fired the shot? A. I saw the pistol in his hand.

Q. In whose hand? *A.* In Captain Tuckett's hand.

Q. He had a pistol in his hand when you came up? *A.* He had.

Q. You do not know what was done with it? *A.* No.

Q. How soon after that might you have seen the other gentleman that you said was a doctor? *A.* When I turned round from Lord Cardigan, I then perceived that there were four.

Q. How soon after that did you see another? *A.* I did not see any more after the time when I turned from his Lordship.

Q. You mean four besides Lord Cardigan? *A.* Yes.

Q. When the fifth came up you do not know? *A.* No.

Q. Did you recognize his person so as to be able to know him again? *A.* Yes.

Q. And he went into your house also with the other parties? *A.* Yes.

Q. One question only as to these different places you have been to, and your charges; have you been paid for them? *A.* I have not.

Q. Did you go to the Home Office at any time? *A.* I did.

Q. At what time was it? *A.* It was a week ago Saturday last.

Q. What did you go there for? *A.* I was requested to go there; and then I was asked questions as to my evidence.

Q. At the Home Office? *A.* Yes.

Q. Who asked you questions as to your evidence at the Home Office? *A.* A gentleman of the name of Vizard.

Q. Was your examination taken down in writing at that time? *A.* The gentleman was writing, but whether he was writing what I said, or what he was writing, I know not.

Q. You had not been at the Home Office before? *A.* No.

Q. And that was the only examination that has been taken for the purpose of this trial? *A.* I cannot say.

Q. But that is the only examination of you for the purpose of this trial? *A.* Yes.

Q. You had not been examined since the time you were at the Old Bailey till you went to the Home Office? *A.* No.

Q. Were there any other witnesses there? *A.* Yes.

Q. Who? *A.* My wife and my son, and Mr. Busain and Mr. Bicknell.

Q. All examined at the Home Office? *A.* All went in before the gentleman, but what occurred with them I know not. I only answer for myself.

Q. Have you presented this bill to any one for payment? *A.* I applied to the magistrates for my expenses, and they gave me a certificate.

Q. Have you received the money? *A.* No.

Q. I understood you to say that you never lost sight of these gentlemen from the time you first saw them? *A.* No, I have not said that. I did not lose sight of them after I came to the gate; prior to that I did lose sight of them.

Q. Did not you tell me, when I asked you whether you had recognized them in coming from the carriages, that you had never lost sight of them? *A.* If you understood me that way it was wrong.

Q. You said so; but it was a mistake, was it? *A.* Yes.

Q. Then you did lose sight of them? *A.* Yes, after I first saw them come on the ground.

Q. For how long? *A.* A few minutes.

Q. Where were you at that time? *A.* I was on the stage when I first saw them; the stage of the mill is about twenty feet high, and then I had to come down the stairs, and then I lost sight of them; and then I got into my house, and then I lost sight of them again.

Q. How long were you in the house? *A.* No more than just necessary to catch hold of the constable's staff, and then return.

Q. Why did not you go towards the gentlemen at once if you suspected they were going to fight a duel? *A.* I did not like to go without my authority.

Q. You thought it better to let the duel be fought first, and then go and take them up? *A.* No, I did not think that.

Q. What was the meaning of your answer when you said you desired your wife to call you? *A.* I left my wife to watch, and to let me know when there was sufficient that she could suppose it was a duel. I had suspicions it was a duel to take place.

Q. As soon as she saw that there was going to be a duel she was to let you know? *A.* Yes.

Q. And then you were to go two hundred and twenty yards for the purpose of preventing it? *A.* Yes.

Q. And when you got up you found that the gentlemen had exchanged two shots? *A.* Yes.

Q. Who had instructed you to stop duels upon Wimbledon Common? *A.* I believe the first onset of it was in the case of Mirfin; the coroner recommended that I should be appointed.

Q. Who was the coroner? *A.* Mr. Carter.

Q. And you got a constable's authority? *A.* Yes.

Q. And this is the first job you have made of it? *A.* No; I have stopped several.

Q. Have you been paid for them? *A.* No.

Lord Wynford.—Why did not you call out to the gentlemen when you supposed that they were going to fight a duel? *A.* I do not know my reason. I ran to them as fast as I could run.

Sir William Follett. — You changed your coat, did not you? *A.* No.

Q. You put on your coat, did not you? *A.* No.

Q. Did you stop the mill? *A.* No.

Re-examined by Mr. Waddington.—*Q.* Did you state what was the number of the house in Hamilton-place where you saw the gentleman that you call Captain Tuckett? *A.* 13.

Q. How often did you see him there? *A.* Three times.

Q. Upon three different days? *A.* Yes.

Q. Did you ask for him upon each occasion? *A.* Yes.

Q. You have been asked as to losing sight of the gentlemen; did you ever lose sight of the gentlemen that fired the first shots from the time of your leaving the gate till you got up to them? *A.* No.

Q. Can you undertake to state positively whether the gentlemen who fired the second shots were the same who fired the first? *A.* I am positive of that.

Q. When you got up you said that Captain Tuckett had a pistol in his hand; had Lord Cardigan also a pistol in his hand? *A.* Yes.

Earl of Radnor—Each time that you went to Hamilton-place did you ask for Captain Tuckett? *A.* Yes.

Q. Were you each time shown to the same gentleman? *A.* Yes.

Q. Did you see any other gentleman there? *A.* Yes.

Q. In the same room with Captain Tuckett? *A.* Yes.

Q. Did you address him by the name of Captain Tuckett? *A.* I do not know that I did.

Q. Did anything pass which

enables you to say, that that was Captain Tuckett, and not the other gentleman? *A.* Yes; he wrote a note for me to take to the magistrates, and signed his name.

Q. He signed his name "Tuckett," did he? *A.* Yes.

Sir William Follett.—I apprehend that would be hardly evidence.

Earl of Radnor.—Was the other gentleman one of the gentlemen that you saw at Wimbledon Common? *A.* No.

Q. It was a different gentleman? *A.* Yes.

Q. Did you see that other gentleman every time that you were shown up to Captain Tuckett? *A.* I do not think I saw him the last time, and I am not certain that I saw him but once.

Q. You are sure that you did not see him every time? *A.* No.

Q. In each case you asked for Captain Tuckett, and were shown directly to this same gentleman? *A.* Yes.

Lord Audley. You say that at the first discharge you heard two pistols. Did you hear one or two reports? *A.* I heard two reports.

Q. Did you see the flash and smoke from either? *A.* I cannot say that, but I heard two reports, but very close together.

Q. You did not see the flash and smoke? *A.* I might; I am not certain as to that.

Mr. Attorney-General. — My Lords, it is not a matter of essential importance, but I now propose, with your Lordships' permission, that this card should be given in evidence. It is a card that was delivered to the witness in the presence of the noble Earl, and I apprehend on that ground, and likewise that it is part of the *res gestæ*, that it is clearly admissible upon this occasion.

Sir William Follett. My Lords, I shall take your Lordships' opinion, whether the counsel for the prosecution have any right to read this card. Your Lordships will observe the evidence relating to it. It is not that it was given by Lord Cardigan, or that it was given with Lord Cardigan's knowledge. It is perfectly clear, indeed, upon the statement, that Lord Cardigan did not see the card; that he did not see what was written upon it; and there is no evidence even to show, that he was aware of that card being given. The object of this evidence of course is, to prove who the person was that gave that card.

Now, my learned friend the Attorney-General says, it is part of the *res gestæ*. But it is obvious that a person might give a card, or an address, or direction, not for the purpose of giving his real name, but for the purpose of giving another; and unless it was done with the knowledge, and the full knowledge, of the prisoner at the bar, I think your Lordships will say that it is not evidence against him. It appears here that he was no party to the giving of the card; he was not aware of the contents of the card; he knew nothing about it; he never saw it; and therefore I take the liberty of submitting to your Lordships, that that card cannot be read in evidence against the noble Earl at this time. Whether they will have any other evidence for the purpose of proving who this gentleman was, or for the purpose of connecting this card with the noble Earl, is another question; but, at present, I humbly submit to your Lordships, that

there is no evidence to connect it with him, and that it ought not to be read at all in evidence against him.

Lord High Steward.—Mr. Attorney-General, you think it important to press this evidence, do you?

Lord Wynford. — The witness does not know whether the Earl of Cardigan saw it.

Sir William Follett.—Nor does he know which of the parties gave it.

Mr. Attorney - General. — It stands that he cannot tell whether it was the wounded gentleman, or the gentleman that accompanied him, that gave the card; but it was given either by the one or by the other; it was given in the yard; it was given in the presence of the Earl of Cardigan. Now, I will not state what this card is at present; but suppose it to contain the address of Captain Tuckett, and that it was 13, Hamilton-place, and that thereupon the witness goes to 13, Hamilton-place, and sees the wounded gentleman, would not that be admissible evidence upon this trial? It would be entirely for your Lordships to say what weight is to be given to the evidence. The only question now is whether it be admissible. Now, this being given in the presence of the Earl of Cardigan, and then the witness going to the place mentioned in this card, ought not that card to be admitted in evidence *valeat quantum*?

Lord High Steward.—Do you mean to contend that because the card is given in the presence of the prisoner, that makes the contents of it evidence, without some proof that he saw it?

Mr. Attorney - General. — I would by no means contend that a written document given in the presence of the prisoner would render the contents of that written document evidence against the prisoner: far from it. But this card is to be considered merely as the address of the person who wishes to retire.

Sir William Follett.—You are stating the contents by way of making it evidence.

Mr. Attorney-General.—I am not stating the contents; I am cautiously abstaining from it. But when a person wishes to have leave to go to his home, and gives a card such as this, it must be presumed to be merely his address, stating his name and place of abode; and I should humbly submit to your Lordships, that this would be admissible evidence, not only on the ground of its being in the presence of the noble prisoner, but I will suppose that he had not been present; I will suppose that upon the field, when this gentleman, called Captain Tuckett, was wounded, at that moment, Lord Cardigan not being present, he had said, "Allow me to go home; here is my address;" I apprehend that then your Lordships would have allowed the card to be given in evidence, as showing that this was the address given upon the occasion, and at which this person who gave it was afterwards found by the witness.

Sir William Follett.—I do not know whether I need offer any observations to your Lordships in reply; but that which my learned friend is now contending for seems to be contrary to what one has always understood to be the ordinary rules of evidence. The rules of evidence are undoubtedly the same in civil as in criminal cases, but it is not usual in cases of a

criminal nature to press matters in evidence as to which any doubt might exist; but this prosecution is not conducted in the usual mode. My learned friend the Attorney-General is now attempting to offer in evidence what I submit to your Lordships is clearly contrary to the ordinary rule. He is seeking to prove an important fact in this case, by an apparent admission on the part of the noble Earl at your Lordships' bar without any evidence whatever that the noble Earl was a party to that admission, or that he was aware of it, or that he knew anything that was written upon the card at all. I ask your Lordships whether this can be made evidence against the prisoner, to prove a fact which your Lordships must now see, from the way in which this is pressed on the other side of the bar, is a most important fact in this prosecution; whether your lordships are prepared to say that that fact can be proved by the statement of a person not even known, for it does not appear who it was that gave the card. The witness speaks of a stranger that came up, and who he did not know at the time was a surgeon. It does not appear whether he gave it, or who gave it; but it does appear that, whoever gave it, Lord Cardigan never saw it, and did not know what was written upon it, and therefore it is not at all brought home to him. I do therefore submit to your Lordships, that upon the plainest rules of evidence nothing written upon the card can be read in evidence against the noble Earl.

Lord High Steward.—The inconvenience of clearing the house is so great that I should rather venture to propose that the decision of this question, if your Lordships should be called upon to decide it, had better be postponed.

Mr. Attorney-General.—Then, with the permission of your Lordships, I will call Sebastian Byron Dann.

Sebastian Byron Dann, the son, and Sarah Dann, the wife, of the last witness, were next examined: as their evidence was merely a repetition of that of Thomas Hunt Dann, and no new matter was elicited in cross-examination, it is unnecessary to reprint it.

Sir James Eglintoun Anderson, M.D., sworn.—This witness, who had attended the parties to the ground in his professional capacity, declined to answer the questions put to him, on the ground that it might criminate himself.

Mr. John Busain, an inspector of the Metropolitan Police, was the next witness — his evidence related to what passed at the station-house.

Mr. Charles William Walthew, sworn.—This witness, a chemist residing at 29, Poultry, in whose house Captain Harvey Tuckett had offices, for carrying on his business as an East India and Colonial Agent, was examined, for the purpose of identifying that Captain Tuckett with the person who resided at 13, Hamilton-place, but the examination failed in establishing the point.

Mr. Edward Septimus Codd, sworn.—This witness was an Army agent, who received the half-pay for Captain Tuckett, which he paid to him at his (the witness's) own house: but could not identify him with the Captain Tuckett who resided in the Poultry, or at Hamilton-place.

Mr. Attorney-General. — My Lords, I now, with your Lordships' permission, propose to read the

card. Your Lordships have been pleased to say that you would consider whether, upon the objection taken by my learned friend, Sir William Follett, it should be received or rejected. Now would be the proper time that it should be read, if your Lordships should hold that it is admissible in evidence.

Lord Brougham.—Is this your case, Mr. Attorney?

Mr. Attorney-General.—I should first wish to know whether that card is to be received or rejected?

Sir William Follett.—I would suggest that the Attorney-General should answer the question of your Lordship, because it may make a considerable difference as to our opposing or not the introduction of this card, whether that is the close of his case.

Mr. Attorney-General. — I apprehend I am now in a situation to ask your Lordships for your judgment, whether that card should be received or rejected?

Lord High Steward.—You object to its being received, Sir William Follett.

Sir William Follett.—Certainly, my Lord; and I should wish to address your Lordships if any doubt is entertained upon it.

Lord High Steward. — Their Lordships are ready to hear your objection.

Sir William Follett.—Will you let me look at the card?

[The card was shown to Sir William Follett.]

Sir William Follett.—My Lord, I do not think it necessary to object to this card being read.

[The card was delivered in and read, having engraved upon it "Captain Harvey Tuckett, 13, Hamilton Place, New Road;" and on the other side written, "Captain H. Wainwright."]

Sir William Follett.—Is that your case, Mr. Attorney-General?

Mr. Attorney-General. — This, my Lords, is the case on the part of the prosecution.

Sir William Follett.—This being the case on the part of the prosecution, I shall venture to submit to your Lordships that no case has been made out which calls upon the prisoner at the bar for an answer; and I think your Lordships will see at once that my learned friends have failed in proving an essential part of their case. Your Lordships will observe, that every count of the indictment contains the name of Harvey Garnett Phipps Tuckett. The first count charges that the noble Earl, the prisoner at your Lordships' bar, did feloniously and unlawfully shoot at Harvey Garnett Phipps Tuckett, with a pistol loaded with gunpowder and a leaden bullet, with intent thereby of his malice aforethought the said Harvey Garnett Phipps Tuckett to kill and murder. In the second count he is charged with feloniously intending to maim and disable the said Harvey Garnett Phipps Tuckett; and in the last count with intending to do the said Harvey Garnett Phipps Tuckett some grievous bodily harm.

Now, my Lords, I apprehend that it is not necessary to cite any authority at your Lordships' bar to show that the prosecutor is bound to prove the Christian and surname of the person against whom the offence is alleged to have been committed, and that if he fails in proving either the Christian or the surname he fails in the proof of his case. I think your Lordships will see that there

is no evidence whatever to prove that the person at whom the noble Earl is charged to have shot, upon the 12th of September, was Mr. Harvey Garnett Phipps Tuckett. The evidence before your Lordships would rather lead to the contrary presumption, if presumption could be allowed in such a case; but I apprehend it is not a case of presumption; but that positive evidence must be given by the prosecutor, to prove the identity of the person mentioned in the indictment as being the party against whom the offence is alleged to have been committed.

Now, your Lordships will observe, that the evidence is this: they have called a person of the name of Codd, who is stated to be an Army agent, and who receives the half-pay of a Captain Tuckett, who was formerly an officer in the 11th Dragoons, and who states that the Mr. Tuckett for whom he received the half-pay is named Harvey Garnett Phipps Tuckett. Is there any thing at all before your Lordships to identify that Mr. Tuckett with the person who is said to have been at Wimbledon Common on the 12th of September? There is nothing whatever. Mr. Codd does not know where that Mr. Tuckett lives; he never saw him at any place but at his own office in Fludyer-street, and once at an insurance office, shortly after his return from India. There is nothing at all to show, therefore, that that gentleman for whom he received the half-pay is in any way connected with this transaction. Then, my Lords, what is the other evidence on this point? A witness is called who comes from the poultry, and who states that a Captain Tuckett occupies rooms in his house, where he carries on the business of an Indian and Colonial agent, and he states that his name is Harvey Tuckett, but that he does not know his other Christian names, and that he does not know where he lives. There is, therefore, no evidence whatever to connect the Captain Tuckett spoken of by Mr. Codd as bearing those Christian names with the Captain Tuckett spoken of by the other witnesses. There is not a tittle of evidence, there is not a scintilla of evidence, to connect that Captain Tuckett of whom Mr. Codd speaks with the gentleman who is supposed to have been engaged in this transaction, and, therefore, I submit that my learned friend has entirely failed in one essential part of the proof in this prosecution.

My Lords, this point has been expressly decided in the case of the King v. Robinson, in Holt's reports, page 595, and it is laid down in all the books upon the point, that it is essentially necessary to prove the christian and surname of the party against whom the offence is alleged to have been committed; and in this case your Lordships will observe that that is the point I am taking upon these authorities, that there is no proof of the christian or surname of the gentleman who was upon Wimbledon Common upon that day,—of the christian name, I should rather say, because that a Mr. Tuckett was there may be taken from the other evidence, the evidence of Dann, but there is no evidence to show the christian name of the gentleman who was there upon that day.

Lord High Steward.—Strangers must withdraw.

Mr. Attorney General.—Your Lordships will allow me to say a few words in answer to the objec-

tion. My Lords, the question is, whether there be any evidence whatever to prove the fact of the christian name of Captain Tuckett, the gentleman wounded. If there be the smallest scintilla of evidence on this point, the prosecution cannot be stopped upon this ground. We are now in a situation as if the trial were before a jury, and at the close of the case for the prosecution an objection should be made that the learned judge should direct the jury to acquit, upon the ground that there is no evidence at all for their consideration. My Lords, I say that if this case were before a jury there would be abundant evidence for the consideration of a jury, from which the jury would have no difficulty in inferring that the name of the party wounded in this case was Harvey Garnet Phipps Tuckett.

Now, my Lords, how does the case stand? My learned friend withdrew all objection to the reading of the card. Well, then, the gentleman who was wounded, at whom the Earl of Cardigan shot on the 12th of September, was a Captain Tuckett. It was Captain Harvey Tuckett. We have got so far as to one of his names. Now, my Lords, how does it stand with regard to the rest? Am I obliged to call the clerk of the parish where he was baptized, in order to prove his baptismal register? Am I obliged to call his father or his mother, or his godfathers and godmothers, to prove the name that was given to him at the baptismal font? I apprehend that such evidence is wholly unnecessary, and that if from the facts that are proved any reasonable man would draw the inference that we wish to be drawn, there is abundant evidence to be submitted to a jury, and to be submitted to your Lordships.

My Lords, we have it in evidence, and I suppose my learned friend will not deny, that there is abundant evidence to show that the Captain Tuckett that was wounded lived at No. 13, Hamilton-place, New-road. There the witness Dann goes for him three times; each time he asks for Captain Tuckett, and each time he is introduced to a gentleman answering to the name of Captain Tuckett. Therefore your Lordships will have no difficulty in believing that the Captain Tuckett who lives at No. 13, Hamilton-place, New-road, is the Captain Tuckett who fought a duel with the Earl of Cardigan on Wimbledon Common on the 12th of September. Now, my Lords, we go by steps. Is there any doubt that it was that Captain Tuckett who took the premises, No. 29, in the Poultry? At the time that he did so, he gave a reference to No. 13, Hamilton-place, New-road. Then, although there is no positive, direct, and demonstrative evidence, your Lordships would not doubt that there is sufficient evidence to show that the person who took this place of business in the Poultry under Mr. Walthew was the same Captain Tuckett who lived at No. 13, Hamilton-place, New-road, and who was the antagonist of the Earl of Cardigan on the 12th September on Wimbledon Common.

Then, my Lords, we have only one other stage, and that is to see whether that Captain Tuckett is the Captain Tuckett of whom Mr. Codd speaks. Mr. Codd says that the Captain Tuckett of whom he speaks, and whose name he proves to be Harvey Garnett Phipps Tuckett, had been in the 11th

Hussars, a regiment which had been commanded and still is commanded by the Earl of Cardigan.

Sir William Follett.—There is no proof of that whatever.

Mr. Attorney General.—There is abundant proof of it.

Sir William Follett.—There is no evidence whatever that Lord Cardigan is colonel of the 11th Hussars.

Mr. Attorney General.—It was so stated by the policeman at the [illegible] he said so in the most distinct terms. It will be found in the shorthand-writer's note. He said so most distinctly, and he was not cross-examined upon it. Then, my Lords, a Capt. Tuckett, whose name is Harvey Garnett Phipps Tuckett was proved by Mr. Codd to have been in the 11th Hussars, the Earl of Cardigan's regiment. He gave him his card with "11th Hussars" upon it.

Sir William Follett.—You really are quite mistaken.

Mr. Attorney General. — Then this Captain Tuckett, whose name is Harvey, has one name at least corresponding with that of the Captain Tuckett who fought the duel on Wimbledon Common. Then, will your Lordships require positive strict evidence that shall amount to demonstration with respect to the other christian names? If there is evidence from which the inference may fairly be drawn, is not that sufficient for this or any other court of justice? Then, my Lords, here is a Captain Tuckett whose name is proved to be Harvey Garnett Phipps Tuckett,—who had been in the 11th Hussars,—who had retired three or four years ago,—who has received his half-pay quarterly as the quarter came round,—who came to receive it in Fludyer-street from Mr. Codd, his agent. May it not fairly be inferred by any one of your Lordships that this Captain Tuckett who had been in the 11th Hussars, who had retired three or four years, and who had received his pay quarterly, was the same Captain Tuckett who had a place of business in the Poultry, and who had a house at No. 13, Hamilton-place, New-road, and who fought the duel on the 12th of September on Wimbledon Common? Is there not evidence from which that identity may be fairly inferred? Is the prosecution to be stopped upon the ground that there is no evidence whatever to go to the jury, or to go to your Lordships, judging of the facts; that there is no particle of evidence to show that this Captain Tuckett whose name is proved to be Harvey Garnett Phipps Tuckett was the same Captain Tuckett who was the antagonist of the Earl of Cardigan?

My Lords, I believe there is no human being who, having heard this evidence out of a court of justice, would for one moment hesitate in drawing the inference; and I apprehend that what would be sufficient to convince a reasonable man out of a court of justice ought to convince a person sitting as a judge in a court of justice, if that from which the inference is to be drawn is to be received according to the rules of evidence. Now, my Lords, would any person out of a court of justice doubt for one moment, that this Captain Tuckett of whom you have had evidence is the same individual who fought the duel with the Earl of Cardigan upon the 12th of September? Well then, if that inference would necessarily be drawn out of a court of justice, shall it be said that in a court of justice there is not any scintilla of evidence from which

such an inference can be drawn? My Lords, I do think that this would be a most unsatisfactory conclusion of such a trial; and that your Lordships will by no means put a stop to this enquiry upon such an objection. Your Lordships will weigh the evidence fairly and deliberately; if you think that it does not amount to proof,—that it does not convince you conscientiously that this is the same individual, of course you will acquit, you will say, "Not guilty, upon my honour;" but you will not stop the prosecution upon this objection, which I think must be considered as entirely unfounded.

Sir William Follett.—My Lords, I will trouble your Lordships very shortly indeed in answer to the Attorney General. It may be a very unsatisfactory termination of this prosecution to the parties conducting it. It may be, that after all the care and search they have made, they have failed in proving a very essential part of the case for the prosecution. But I apprehend that this is not a case in which the noble Lord at the bar is to appeal to the honour or the consciences of your Lordships. The question is here, whether the prosecutor has given any evidence at all to prove an essential part of the case for the prosecution; and I think that in a very few words I can show your Lordships that he has given no evidence at all.

My learned friend asked whether the clerk of the parish, or the father or mother of Captain Tuckett, are to be called to prove his christian names. That is not my objection, and the Attorney General knows it perfectly well. It is not that we object that the clerk of the parish or the parents should be called; but what we object is this, that they have called a person of the name of Codd, who has proved that he knows a Captain Tucket who bears these christian names, but he gave no evidence at all,—no scintilla of evidence (I will take the very words of my learned friend the Attorney General),—no scintilla of evidence, to connect that Captain Tuckett with the gentleman who was upon Wimbledon Common on the 12th of September.

Your Lordships will observe that it depends altogether upon the evidence of Mr. Codd, because Mr. Codd is the person who is to speak to the christian name, and he is to show that the person of whom he speaks is the Captain Tuckett to whom the rest of the evidence refers. Now what is the proof of it? My learned friend says, that that Captain Tuckett was formerly in the 11th dragoons? Does any judge who hears me feel prepared to say that he would leave it as a question for a jury, whether the christian names had been proved, upon the mere fact that he had formerly been in a particular regiment, and that another person had been in the same regiment, — of which however there is no evidence whatever? There is no statement made by Mr. Codd but this, that on the 30th of September the Captain Tuckett of whom he speaks was at his house with him; and there is rather an inconsistency as far as that goes, because the fact of his appearing there upon the 30th of September is inconsistent with the evidence that has been given in this case, that he could not attend before the magistrates till the 14th of October in consequence of a wound; and yet the Captain Tuckett of whom Mr.

Codd speaks was at his house upon the 30th of September.

My learned friend the Attorney General asked whether any person out of this house would doubt that they were the same person. May I ask whether that is the way in which a prosecution for a criminal offence, or even a proceeding in a civil matter, is to be tried? That your Lordships out of this house, after hearing all that has been said about this matter, and all that has been written in the newspapers day after day, may be satisfied that the Captain Tuckett spoken of by the witness is the gentleman who was at Wimbledon Common on the 12th September, is one thing. It is possible that you might draw that inference. But your Lordships are now sitting as if you had never heard one word of this matter before. You are now sitting as judges to decide upon the evidence in the case. Your Lordships are to dismiss from your minds every thing that you have heard or read in relation to it, and you are then to say whether, because a Captain Tuckett, who was formerly in the 11th dragoons, bears a certain christian name, he is the same Captain Tuckett who fought a duel upon Wimbledon Common.

My learned friend the Attorney General, I will venture to say, from the mode in which he answered this objection, knew perfectly well that he had failed in proving his case; and that was the meaning of his going step after step in the manner in which he did. He proves that Captain Tuckett lived at 13, Hamilton-place. How does that connect him with the evidence of Mr. Codd? How does my learned friend show that the Captain Tuckett of whom Mr. Codd is speaking is the Captain Tuckett who lived at Hamilton-place, and who had offices at the Poultry? Mr. Codd does not know it; he never saw him at the Poultry; he never saw him at Hamilton-place; he has no reason to know that he lives there. The whole of the evidence is this: that Mr. Codd knows a gentleman of the name of Harvey Garnett Phipps Tuckett, and that that gentleman was formerly in the 11th dragoons, and that he, Mr. Codd, received his half pay; but there is no evidence that that was the person who was upon Wimbledon Common. My Lords, I say that my learned friend the Attorney General has distinctly failed, and I say that he knows it. He knows that there is no evidence to connect the person of whom Mr. Codd is speaking with any person connected with this transaction. My learned friend said that he obtains from the card one of the christian names "*Harvey* Tuckett." Is that to be proof that the person named in this indictment "Harvey Garnett Phipps Tuckett" is the same person? I ask whether any one of the judges would leave that question to a jury. There might be two persons of the name of "Harvey Tuckett." Nay, when my learned friend is referring to matters out of this house, we know that in the very regiment commanded by the noble Lord at the bar there were two gentlemen of the same surname, and, I believe, of the same christian name. But the question is this,—not what your Lordships know out of this house, nor what your lordships may surmise or conjecture,—but, sitting as judges in a criminal case, looking at the evidence alone, is there any evidence before your Lordships to prove that the gentle-

man who was upon Wimbledon Common bears the christian name and surname of "Harvey Garnett Phipps Tuckett?" My Lords, I submit that there is no evidence of it whatever; and however unsatisfactory a termination it may be to the persons conducting this prosecution, that your Lordships will feel that they have failed in an essential part of it, and that the prisoner now at your Lordships' bar ought not to be called upon for any defence to this case.

Lord High Steward. — When this objection was taken, I thought the proper course would be for strangers to withdraw; and I think that is the proper course, when, in a criminal court, an objection is taken that there is no evidence to go to the jury, that the judge should then make up his mind whether there is such evidence or not. The learned counsel, however, did not object to the argument of the Attorney General, and therefore I did not think it right to interpose, in order to prevent his being heard. But I wish to say, with a view to the general administration of criminal justice, that the utmost that is ever required from the counsel for the prosecution who is so challenged is to point out those parts of the evidence upon which he relies to make out the case to be submitted to the jury, I do not recollect any case in which an argument has been entered into upon such an occasion. Generally speaking, I believe the practice has been to prevent any such argument from being heard in that stage of the case. I mention this with a view to the consequences, which may be of some importance in the practice of criminal courts; and I now move your Lordships that strangers, as I first suggested, be directed to withdraw.

The counsel were directed to withdraw.

Strangers were directed to withdraw; and the Earl of Cardigan retired in the custody of the yeoman usher.

His Grace the Lord High Steward returned to his chair.

A protestation of the Archbishop of Canterbury for himself and the rest of the Bishops was delivered, desiring leave to be absent when judgment was given; upon which leave was given.

The objection taken by the counsel for the Earl of Cardigan was considered.

*The Lord High Steward spoke to the following effect:

My Lords, as none of your Lordships appear disposed to address the house, it occurs to me that I may possibly be expected, as holding the great office which I have the honour to fill, to state my view of the circumstances in which we are placed, and my opinion of the course which it may be most proper for your Lordships to pursue.

The learned counsel who conduct this prosecution having closed their case, and laid before your Lordships all the evidence which they mean to offer, the defenders of Lord Cardigan, in conformity to the usual practice of our criminal courts, have objected that that evidence is insufficient to make out the charge, and now require your Lordships, instead of calling upon the prisoner for his defence, to pronounce his sentence of acquittal immediately.

* This is introduced into the Report, though not in conformity with precedent (having passed while the House was in deliberation with closed doors), by the special direction of the House.

The charge is, as your Lordships are well aware, that the Earl of Cardigan feloniously and maliciously shot with a loaded pistol at a person named in the indictment Harvey Garnett Phipps Tuckett. The defect, upon which the learned counsel rely, is this: that no proof has been adduced that the party at whom the loaded pistol was directed bore that name.

It is proper, in the first place, to observe that the law certainly requires such proof to be given. The law would give no countenance to the opinion that, where the injury itself is, in fact, well established, the name or names borne by the injured party may be considered as immaterial. If he is unknown, a special provision is made for that case; but he ought to be truly described, if he is known, by those who prefer the bill of indictment before the Grand Jury; they ought to have some evidence of his using or bearing that name. The offence is, indeed, in its own nature the same, whether committed against the person of Thomas or of John; but the fact must be truly stated, and every material allegation must be proved; and if the act is charged as committed against John, and proved to have been committed against Thomas, that variance entitles the prisoner to an acquittal; and if it is not proved to have been committed against John, the case equally falls to the ground. The reasons on which this rule of practice may have been founded your Lordships will not expect me to discuss. The existence of the rule, and its constant application, admit of no doubt. There would be little hazard in asserting that no year passes without some example of acquittals taking place in some of the courts, by reason of mistakes or defects of this kind. Doubts have sometimes arisen on the sufficiency and propriety of the designations given by bills of indictment to parties injured; and the fifteen judges, to whom reference has been made on such occasions, invariably acting upon that rule, have decided cases of the utmost importance in accordance with it.

Your Lordships, therefore, have now to examine the evidence adduced, with a view to the sufficiency of the proof of this necessary fact. I shall take the liberty of shortly recapitulating what the witnesses have sworn. For this purpose, my Lords, it will be convenient to assume at present that the noble Lord now on his trial was seen on Wimbledon Common to fire his loaded pistol at a person who passed by the name of Harvey Tuckett, and wounded him, and that the wounded person who gave his card as "Captain Harvey Tuckett, No. 13, Hamilton-place," was afterwards seen living there. What remains then to be proved is, that this Harvey Tuckett is the person mentioned in the indictment; that is, that in addition to those two names, he bore the names also of Garnett Phipps. On this point, all who prove the facts just enumerated are wholly silent; but other witnesses are brought forward for the express and only purpose of showing to your Lordships the existence of a gentleman called Harvey Garnett Phipps Tuckett, and his identity with the person wounded.

Mr. Charles William Walthew deposed that he knows a person called Captain Tuckett, who occupied apartments in the witness's house, in the Poultry, as an office

for carying on some business in the city. When asked what were the names of Captain Tuckett, he said he knew him by no other name than that of Harvey Tuckett; adding, however, that this person lived at No. 13, Hamilton-place, New-road. But he further stated that he had never seen him in Hamilton-place, nor knew of his living there, except from the circumstance of his giving that address when he hired his office in the witness's house, and of the witness having forwarded a hamper to him at that address, of which he heard no more. Your Lordships, therefore, will observe that by this evidence nothing is brought to your knowledge, but the fact that some person, calling himself Harvey Tuckett, stated also that he resided at No. 13, Hamilton-place. The witness knows nothing whatever of the party's numerous names, and of his residence he knows nothing, except as before stated. His lodger, by giving the reference, no more proved that he resided there, than the wounded man proved the same fact, by giving his card, which was not pretended to furnish any proof of the residence, except in combination with his being seen there afterwards. But even if the reference, combined with the forwarding of the hamper, had proved that he resided at Hamilton-place, there is no proof that he bore the four names stated in the indictment.

The other witness was Mr. Edward Septimus Codd, an Army agent, who is acquainted with a person fully answering the designation in the indictment, Harvey Garnett Phipps Tuckett. He knows him as a captain on half-pay, who formerly belonged to the 11th regiment of Light Dragoons, and the witness has received his half-pay for him quarterly for three or four years. But the place at which he has been in the habit of paying the money to him is in the witness's own house in Fludyer-street. He did so on the 30th of September last, during the period for which the magistrate's examination of the wounded man had been suspended on account of the injury inflicted upon him. This witness does not appear even to have heard of *his* Captain Tuckett as residing in Hamilton-place.

Here then is an absolute want of circumstances to connect the individual at whom the pistol was fired, and who afterwards was seen wounded in Hamilton-place, with the half-pay officer known to Mr. Codd as bearing the names set forth in the indictment on which your Lordships are sitting in judgment. For the mere fact of the wounded person bearing some of the names used by the half-pay officer is no proof that the former and the latter are the same: and the representation by that officer of his having held a commission in the same regiment of which Lord Cardigan told the policeman that he himself was colonel, (which, coupled with the actual receipt of half-pay, may sufficiently prove that fact,) cannot, I apprehend, be turned into a presumption that those individuals would meet in hostile array. Here are two distinct lines of testimony, and they never meet in the same point.

In the course of the argument at the bar in behalf of the prosecution, your Lordships were asked what proof of a name could reasonably be expected, and whether justice ought to be defeated for want of the baptismal register of a party described. If I were bound to

give an answer to this question, I should say in general terms that whatever fact requires proof in the course of any judicial proceeding ought to be made out by adequate means by the party on whom the burden of proof is cast by the law, —that is, by the prosecutor of an indictment, where the plea of Not Guilty puts in issue all the facts that go to make up the offence charged. But it was not contended at the bar that any proof from the baptismal register was indispensable, or that it would not be enough to produce evidence of the party's bearing, using, or being known by the name attributed to him. It was not urged that Mr. Codd's knowledge that the person of whom he spoke used the four names in the indictment might not rationally convince your Lordships that the four names belong to that person; but it was urged, that the person using and owning the four names was not shown to be the same person who, under the name of Captain Harvey Tuckett, had been engaged in the duel fought on Wimbledon Common.

No fact is easier of proof in its own nature, and numerous witnesses are always at hand to establish it with respect to any person conversant with society. In the present case the simplest means were accessible. If those who conduct the prosecution had obtained your Lordships' order for the appearance at your bar of Captain Tuckett, and if the witnesses of the duel had deposed to his being the man who left the field after receiving Lord Cardigan's shot, Mr. Codd might have been asked whether that was the gentleman whom he knew by the four names set forth in the indictment. His answer in the affirmative would have been too conclusive on the point to admit of the present objection being taken.

Several other methods of proof will readily suggest themselves to your Lordships' minds. Even if obstacles had been interposed by distance of time and place, by the poverty of those seeking to enforce the law, by the death of witnesses, or other casualties, it cannot be doubted that the accused must have had the benefit of the failure of proof, however occasioned; and here, where none of those causes can account for the deficiency, it seems too much to require that your Lordships should volunteer the presumption of a fact, which, if true, might have been made clear and manifest to every man's understanding by the shortest process. Your Lordships were informed that no person out of doors could hesitate, on the proof now given, to decide that the identity is well made out. Permit me, my Lords, to say that you are to decide for yourselves, upon the proofs brought before you, and that nothing can be conceived more dangerous to the interests of justice, than for a judicial body to indulge in any speculations on what may possibly be said or thought by others who have not heard the same evidence, nor act with the same responsibility, nor (possibly) confine their attention to the evidence actually adduced.

If, my Lords, the present were an ordinary case, tried before one of the inferior courts, and the same objection had been taken in this stage to the proof of identity, the judge would consult his notes, and explain how far he thought the objection well founded, and I apprehend that the jury would at once return a verdict of acquittal.

Your Lordships, sitting in this High Court of Parliament, unite the functions of both. I have stated my own views as an individual member of the court, of the question by you to be considered, discussed, and decided. Though I have commenced the debate, it cannot be necessary for me to disclaim the purpose of dictating my own opinion, which is respectfully laid before you, with the hope of eliciting those of the House at large. If any other duty is cast upon me, or if there is any more convenient course to be pursued, I shall be greatly indebted to any of your Lordships who will be so kind as to instruct me in it. In the absence of any other suggestion I venture to declare my own judgment, grounded on the reasons briefly submitted, that the Earl of Cardigan is entitled to be declared Not Guilty.

After deliberation, it was moved that the House do now proceed to give their opinion, whether the said Earl is guilty or not guilty of the charge in the indictment; which, being put, passed in the affirmative.

Strangers were again admitted.

Then, after proclamation made for silence, the Lord High Steward, standing up, by a list called every peer by his name, beginning with the junior baron, and asked him, "John Lord Keane, how says your Lordship; is James Thomas Earl of Cardigan guilty of the felony whereof he stands indicted, or not guilty?"

Whereupon John Lord Keane, standing up in his place uncovered, and laying his right hand upon his breast, answered, "Not guilty, upon mine honour."

In like manner, the several Lords after mentioned, being all that were present, answered in the same words.

Thomas Lord Monteagle of Brandon.
Arthur Lord De Freyne.
Nicholas William Lord Colborne.
Chandos Lord Leigh of Stoneleigh.
Charles Lord Sudely.
William Lord Bateman.
Charles Lord Glenelg.
Alexander Lord Ashburton.
Philip Charles Lord de L'Isle and Dudley.
James Lord Abinger.
William Lord Fitzgerald.
John William Lord Duncannon.
Francis Godolphin Lord Godolphin.
William Lewis Lord Dinorben.
Thomas Lord Kenlis.
George William Fox Lord Rossie.
Henry Lord Brougham and Vaux.
William Draper Lord Wynford.
Charles Lord Stuart de Rothesay.
Henry Lord Cowley.
Thomas Lord Melros.
John Henry Lord Tenterden.
John Singleton Lord Lyndhurst.
James Archibald Lord Wharncliffe.
John James Lord Rayleigh.
John George Weld Lord Forster.
John Lord Ormonde.
John William Robert Lord Ker.
Charles Lord Colchester.
William Lord Melbourne.
James Andrew Lord Dalhousie.
Alan Legge Lord Gardner.
George Augustus Frederick Charles Lord Sheffield.
George James Lord Arden.
John Thomas Lord Redesdale.
Thomas Atherton Lord Lilford.
John Lord Northwich.
Robert John Lord Carrington.
George Lord Calthorpe.
Randolphe Lord Stewart of Garlies.
Edward Thomas Lord Thurlow.
Henry Hall Lord Gage.
Richard Lord Braybrooke.
George Lord Kenyon.
Fletcher Lord Grantley.
Charles Lord Southampton.
Thomas Lord Walsingham.
Henry Edward Lord Holland.
George Lord Boston.
Henry Lord Montfort.
John Lord Montfort.
John Lord Colville of Culross.
Alexander George Lord Saltoun.
Hugh Charles Lord Clifford of Chudleigh.
William Lord Ward.

Thomas Miles Lord Beaumont.
Thomas Lord Camoys.
Peter Robert Lord Willoughby d' Eresby.
George Edward Lord Audley.
William George Lord Kilmarnock.
Charles Viscount Canterbury.
William Carr Viscount Beresford.
George Viscount Gordon.
Cornwallis Viscount Hawarden.
Samuel Viscount Hood.
John Robert Viscount Sydney.
Henry Viscount Hereford.
Henry George Francis Earl of Ducie.
Thomas William Earl of Lichfield.
William Pitt Earl Amherst.
John Sommers Earl Sommers.
John Earl of Eldon.
Thomas Philip Earl de Grey.
John Reginald Earl Beauchamp.
George Augustus Frederick Henry Earl of Bradford.
Edmund Earl of Morley.
James Walter Earl of Verulam.
Gilbert Earl of Minto.
Thomas Earl of Wilton.
James Alexander Earl of Rosslyn.
James Earl of Bandon.
George Charles Earl of Lucan.
William Earl of Wicklow.
Stephen Earl of Mount Cashell.
George Earl Cadogan.
Henry John George Earl of Carnarvon.
George Earl of Beverley.
Ernest Augustus Earl of Mount Edgcumbe.
Arthur Blundell Sandys Trumbull Earl of Hillsborough.
Henry George Earl Bathurst.
William Earl of Radnor.
George John Earl De Lawarr.
Charles Philip Earl of Hardwicke.
Henry Richard Earl Brooke and Earl of Warwick.
Heneage Earl of Aylesford.
Charles Augustus Earl of Tankerville.
Edward Earl of Oxford and Earl Mortimer.
Montagu Earl of Abingdon.
Cropley Earl of Shaftesbury.
Arthur Algernon Earl of Essex.
John William Earl of Sandwich.
George Earl of Chesterfield.
William Basil Percy Earl of Denbigh.
William Earl of Devon.
Constantine Henry Marquess of Normanby.
George Horatio Marquess of Cholmondeley.
Henry William Marquess of Anglesey.
Spencer Joshua Alwyne Marquess of Northampton.
Brownlow Marquess of Exeter.
John Marquess of Bute.
James Marquess of Abercorn.
James Brownlow William Marquess of Salisbury.
Richard Plantagenet Duke of Buckingham and Chandos.
George Duke of Marlborough.
Henry Duke of Beaufort.
Edward Adolphus Duke of Somerset.
George William Frederick Earl of Clarendon, Lord Privy Seal.
Henry Marquess of Lansdowne, Lord President of the Council.
His Royal Highness Adolphus Frederick Duke of Cambridge.

But William Harry Duke of Cleveland answered, "Not guilty legally, upon my honour."

Then the Lord High Steward, standing up uncovered at the chair as he did when he put the question to the other Lords, declared his opinion to the same effect, and in the same manner.

Then the Lord High Steward declared that the Earl of Cardigan is acquitted of the felony whereof he stands indicted, all the Lords present having unanimously voted him "Not guilty."

Proclamation was made for bringing the prisoner to the bar.

The Earl of Cardigan was brought to the bar by the Yeoman Usher.

Lord High Steward.—James Thomas Earl of Cardigan, you have been indicted for a felony, for which you have been tried by your Peers, and I have the satisfaction of declaring to you that their Lordships have pronounced you not guilty by an unanimous sentence. The number of their Lordships present I have not precisely at this moment before me, or I should have been glad to have stated it to your Lordship; but their Lordships have unanimously said "Not guilty."

His Lordship retired.

Proclamation was made for dissolving the commission, and the white staff being delivered to the Lord High Steward by the Gentleman Usher of the Black Rod, his Grace stood up uncovered, and holding the staff in both his hands, broke it in two, and declared the commission dissolved.

[*As a pendant to the above trial, that of one of the seconds, before one of the ordinary tribunals of the country, is here added.*]

CENTRAL CRIMINAL COURT, March 3.

John Douglas, Esq., captain in her Majesty's Eleventh Hussars, being placed at the bar, Mr. Clarke (the clerk of the court) read the indictment, which charged the prisoner with having, on the 12th of September last, in the parish of Wandsworth, with a certain pistol, loaded with gunpowder and a leaden ball, at and against one called Captain Harvey Garnett Phipps Tuckett, feloniously shot, with intent to murder the said Captain Harvey Garnett Phipps Tuckett. A second count charged the prisoner with wilfully, maliciously, and unlawfully, having shot at the said Captain Harvey G. P. Tuckett, with intent to maim him. A third count charged the prisoner with intent to do some grievous bodily harm to the said H. G. P. Tuckett.

The prisoner pleaded "Not Guilty" in a confident tone.

Mr. Justice Williams inquired if any one appeared for the prosecution?

This question was answered in the negative by Mr. Clark. The solicitor who originally had the case for the prosecution in hand (Mr. Hobler) was in court, but he was not empowered to instruct counsel or take any part in the proceedings of this day. It appears that, since the examination of the witnesses before the grand jury, he had taken measures to secure the attendance of other persons whose evidence would have been important, some of them he had subpœnaed, and was just about to issue summonses for the others, amongst whom were the post-boys who drove the parties to Wimbledon-common, when he received an intimation from the Police Commissioners to stay all proceedings. No explanation of the reason why this extraordinary course was to be pursued was given. But in the interim, Mr. Vizard had been appointed solicitor to the Home Office, and to him was the business transferred. Mr. Hobler, however, ventured to advise the Commissioners to instruct counsel to appear to-day, and say, that after what had passed elsewhere, no evidence for the prosecution would be offered; the authorities of the Home Office, however, declined to act upon that advice, leaving the matter to their new functionary, Mr. Vizard.

Mr. Justice Williams directed the trial to proceed, and the witnesses, T. H. Dann, the miller, constable of the parish of Wimbledon; Sarah Dann, his wife; his son, a lad aged fourteen; and John Busain, Inspector of Police, were examined at length, and repeated the statements made at the trial of the Earl of Cardigan.

Sir J. E. Anderson, M.D., who attended the duellists professionally, declined, as before, to answer any question, lest he should implicate himself.

None of the Dann family could

identify Captain Douglas, and Mrs. Dann pointed him out as the wounded man.

Thomas Bicknell, superintendent of the V division of police, stated that he had no evidence to give, but he had been bound over as the public prosecutor in this case, of which he knew nothing.

Mr. Justice Williams: Of course, then, I can ask you nothing. I had no deposition of yours, and could not tell what you knew or did not know.

Thomas Dann, the constable, was recalled by the Court, and produced a card which had been given to him at his own house by one of the five gentlemen who were all present at the time. It was given to him either by Captain Tuckett or by Captain Wainwright.

Mr. Thesiger objected to the card being received as evidence against the prisoner, and the objection was allowed.

Superintendent Bicknell recalled,

Mr. Justice Williams, addressing him, said: You say you were bound over to prosecute. I have examined those witnesses of whose depositions I have been informed; I have also called those named on the back of the indictment, and who have been presented to the grand jury. Is there any other witness you are aware of who can give evidence in this case?

Bicknell: None but Mr. Fletcher, the magistrate's clerk. But I do not know what he has to state.

George Chas. Fletcher was then called, but he had no evidence to give, nor did he know of any.

Mr. Justice Williams, addressing the jury, said he was wholly ignorant of the circumstances or causes by which it had happened that nobody appeared in behalf of this prosecution. He ought to regret it, for it had imposed upon him the somewhat difficult and arduous task of examining the witnesses, and also a certain degree of anxiety to take care, whatever might be the cause of no person appearing to conduct the prosecution, that it should not fail for want of any witness or witnesses being called that knew anything of the transaction. Every witness of whom he had heard had been called and examined to the best of his ability, in order to bring from them every fact and circumstance connected with the case; nay, in addition to that which was considered the ordinary course of proceeding, and the duty of a judge, he had called upon the party who was bound over to prosecute, if he could furnish more evidence, to throw additional light upon the case. Now, therefore, the ordinary course having been pursued, and somewhat more, and all the sources of information at his command having been exhausted, it remained for him only to communicate his judgment, as to whether any case should be submitted to their consideration. They could not close their eyes to the fact that a duel had been fought on Wimbledon-common on the day mentioned. That the jury must be as much convinced of as that he was then addressing them. The prisoner was indicted for shooting at Harvey Garnett Phipps Tuckett, and it was essential that it should be proved that a man bearing that name was so shot at by the prisoner at the bar; but of that there was not one tittle of evidence. Mention was made of a card, and, thinking that it might have borne some evidence against the prisoner, he had called for it. When that card, however, was presented to

the witness who produced it, nothing appeared to have passed to fix it upon him. But the name upon the card was "Harvey Tuckett;" and it did not follow of necessity that this should mean the man named in the indictment, any more than John Thomas or Peter Nokes, and by consequence there was no proof that such a man was shot at. Moreover, none of the witnesses who saw the duel had spoken to the person of Capt. Douglas. The only witness who recognised him was the police inspector, who saw him in company with the Earl of Cardigan three-quarters of an hour after the transaction, a point which he should have submitted to the jury, had not the preliminary point failed; namely, that such a person as that named in the indictment had been shot at. The indictment, therefore, must fall to the ground, and the prisoner was entitled to an acquittal.

The jury accordingly returned a verdict of Not Guilty.

UTICA, U. S.

Trial of Alexander M'Leod for Murder.

The trial of Alexander M'Leod at Utica, in the State of New York, on a charge of murder, fraught with consequences affecting the peace of two great nations, and perhaps involving also that of Europe, raising important questions of the law of nations, and presenting some interesting facts relative to the state of feeling, moral and political, in the United States, and involving the life of a British officer, will be properly included under the head of State Trials, although it might seem, at first sight, scarcely to belong to a portion of this work usually appropriated to the legal transactions of our own country.

In our Historical portion will be found a recapitulation of the events attending the destruction of the steam-boat *Caroline*, and the death of Amos Durfee; the seizure of Mr. M'Leod and the correspondence between the official representatives of the two countries; and the state of feeling of the respective nations.

The trial, which commenced at Utica on the 4th October 1841, continued six days. Our limits will not permit that we should give even an abstract of the addresses of the counsel on either part, or of the evidence brought forward. Fortunately, the ability of the learned judge who presided, and the admitted fulness and impartiality of his summing-up, render the task unnecessary. Upon examination of the evidence, there seems room but for one remark—that in the cross-examination of the witnesses Frederick Emmons and James Field, the possibility seemed to be inferred that the deceased might have been killed by a shot from the store near the wharf, and on the spot on which his body was found, and consequently not on board the *Caroline*, nor by any of the British subjects engaged in the expedition. This point, however, does not seem to have been insisted upon by the counsel for the defence, nor touched upon by the learned judge.

The Court met at nine o'clock, and notwithstanding the excitement said to prevail, the space set aside for the accommodation of the public was by no means crowded. The prisoner was brought in in the custody of the sheriff, and took his seat by the side of his

counsel, Messrs. Spencer, Bradley, and Gardner. The jury were empannelled with few challenges, an application to set aside one of the jury until the panel should be exhausted having been overruled, the law admitting only an absolute challenge. The case was opened by Mr. Willis Hall, the Attorney-General. The trial presented no other remarkable legal feature.

The following is the charge delivered by Judge Gridley to the jury:—

Gentlemen of the Jury,

I congratulate you on your at length arriving at the present stage of this long-protracted trial. After your patience having been drawn upon for six days in listening to the trial, and a day and a half in listening to the argument of counsel, you have at last arrived at that period when you are called on to discharge the last and deeply solemn duty which devolves upon you. I congratulate you also upon the auspicious circumstances under which you approach the performance of this duty. We know, it is true, that a deep and pervading interest is felt in this case throughout the entire land. We are also aware that a portion of the public press has, from the commencement of this controversy, teemed with inflammatory and passionate articles. We have likewise heard of popular commotions in various parts of the country, and in particular in the county where the indictment against the prisoner was found. Still, though these disturbing influences may prevail elsewhere, we can at least say that they have not entered this solemn temple of justice. If the waves of excited popular feeling have swept along in other quarters, they have not reached the portals of this building, consecrated as it is to the faithful administration of that justice to which the people and the prisoner alike appeal. During the proceedings here, it may also be remarked, we have seen attentive auditors in the persons of loyal subjects of Great Britain, who not long since were in arms in defence of their soil; and on the other hand, we had the presence of more than one distinguished actor in the scenes of blood and suffering connected with the recent abortive attempt at revolution in the Canadian provinces. Yet although these individuals, as well as others who have been present, must have been deeply interested auditors and spectators of what has occurred, not a single murmur has been heard—not a single ebullition of excited feeling has escaped. All has been quietness and good order, and a signal proof has been given that here is a spot where justice can be purely administered, and that here, if nowhere else, the decision of an upright, intelligent, and honest jury, will be acknowledged sovereign and supreme. It is under these auspicious circumstances that I invite your attention, gentlemen, to the questions connected with this great and important case. Allow me to offer a simple additional passing remark, and it is this—in order to appreciate properly the questions on which you are to pronounce your judgment, it will be necessary that you should keep your minds entirely unembarrassed by the consideration of other matters which have in reality nothing whatever to do with the merits of the case. The counsel on one side and the other, as it was their duty and right, have presented such arguments, and discussed such topics,

as they deemed likely to serve the interests of the parties whom they represent. But the tribunal which tries has also duties to perform, altogether different from those incumbent on the advocates intrusted with the interests of those who are placed at its bar. The case of this prisoner, gentlemen, I may simply say, is to be tried like that of any other person indicted for the same offence. The first question is, has any murder been committed? And the second question is, is the prisoner at the bar guilty of that murder? On the first question, gentlemen, the Supreme Court of this State, as you have already learned during the progress of the trial, have decided. Their authority is binding on you and me. We are sitting here to dispense justice in the Circuit Court, and must be governed by the decision of that superior tribunal which has sent down this issue to be tried here. That is no longer an open question, but an adjudicated one, and with it you have no concern. The circumstances out of which the indictment originated, are briefly these:—In December 1837, a body of Canadian refugees and American citizens occupied Navy Island, fortified themselves there, and opened a cannonade upon the Canadian main shore, where some 2,500 or 3,000 men were assembled to protect their territory. Aid was afforded to these occupants of Navy Island by certain individuals in Buffalo; and one William Wells, the owner of the steam-boat *Caroline*, for the purpose of promoting his own interests, as he swears before you, had the steam-boat cut out from the ice where it lay in Buffalo Creek, and on the morning of the 29th December, the fatal day, that boat made her first trip from Buffalo to Schlosser, touching at Navy Island; and that after that, on the same day, she made two trips to Navy Island from Schlosser; that it was instrumental in conveying armed men, arms, provisions, and one piece of ordnance, to Navy Island. Further than this, it does not appear that the *Caroline* was instrumental in promoting the interests of the occupants of Navy Island. Now, the colonial association in Canada saw fit to regard this boat as a portion of the armament of the insurgents, and resolved to destroy her. Sir Allan M'Nab, the commander of the provincial forces at Chippewa, ordered volunteers to embark in boats, of which five reached the *Caroline*, and from them she was boarded, whilst her peaceful occupants were asleep in her berths; and with cutlasses, boarding pikes, and fire-arms, the attacking party chased the persons on board, wounding some, killing one, and whether others experienced the same fate we know not, and then, having set fire to the boat, the attacking party sent her over the Falls. This is a brief history of the transaction, so far as it is necessary for you to consider it for the purpose of understanding and disposing of this case. The acts I have described are held by the prisoner's counsel to have been excused in the individual performing them for the reasons—first, because those acts were authorized; and, secondly, because done in self-defence; and again, because the whole transaction has already become the subject of recognition between the two Governments, so as to deprive this Court of jurisdiction over the offence. These arguments have been laid before the Supreme Court, and that Court,

after great research and deliberate consideration, pronounced that this act of the killing of Durfee, although performed in the prosecution of an enterprise like that I have already described, was murder; and it follows, then, gentlemen, that all who were engaged in it are guilty of the same offence; and it is not necessary that the arm of M'Leod should have struck the fatal blow to render him guilty. Enough that he was engaged with others in that enterprise. This question, then, is to be excluded from your consideration. It has, it is true, been dwelt on by counsel on both sides in their opening addresses, and during the progress of the trial. I refer to it, however, to inform you that it has been already adjudicated on and is set at rest. Then comes the question, the important question on which you are to pass—is Alexander M'Leod guilty of that murder? The counsel for the people have presented many witnesses before you, the tendency of whose testimony has been to show that the prisoner is guilty; and in order, gentlemen, that you may understand and appreciate this testimony, I shall briefly place it in review before you. I shall divide it into two classes—the first branch embracing the direct and circumstantial evidence other than that arising from confessions connecting the prisoner with this charge—the second class of evidence will consist entirely of confessions. The first witness, gentlemen, who has testified before you, is Gilman Appleby. He is the only witness who was on board the boat at the time of the attack. He was the captain of the boat—he slept in the gentlemen's cabin—he was awoke a little before midnight, as he thinks, by information that there were boats approaching; he rose, and, partially dressed, made his way up the stairs, till he found his further progress arrested; he retreated, but again returned, and had opened the door about a foot, when it was violently pushed open by some one outside, who then made a plunge at him with a sword, which glanced along two of his vest buttons and struck against the metal button of his pantaloons; he was considerably excited, but in that momentary glance he saw the features of the man thus attacking him, and his impression then was that the individual was Alexander M'Leod; but, with all commendable prudence and caution—for which I honour him—this witness says that, amid the agitation of the moment, and in that hasty glance which passed in the twinkling of an eye, he cannot say that it was M'Leod; he had once before seen the prisoner at Buffalo, and it struck him at the time that his appearance was similar to that of the individual who thrust at him, but it was only one hurried glance, and he immediately replied to the question of counsel, when on the stand here, that he could not say that it was Alexander M'Leod. The next witness is Saml. Drown. He resided at Chippewa, and was engaged in tending bar for one Smith, who kept a tavern there, and he says that he went up on the evening of this transaction to what was called the "cut," and up the Niagara river; that he was at the entrance of this "cut;" that he was at the beacon light, saw the boats passing into the "cut," and then he thinks he recognized M'Leod amongst the party embarking in the boats; it was dark;

but the witness expressed the certainty of his belief that he then and there saw the prisoner. He says, he went from there to Davis's tavern, where a portion of these persons came, and there, by a light which shone from within the bar room, or by a light out on the "stoop," although he cannot remember any light hanging out there, he professes to have seen then again Alexander M'Leod. He then says, that next morning, gentlemen, between daylight and sunrise, he heard some of the men in the tavern talking of M'Leod's being wounded, and was over on the opposite "stoop;" the witness looked across, he said, and then thought he again recognized M'Leod. He says he went over to see whether M'Leod was wounded. He saw no one apparently wounded, and did not see M'Leod. He was then inquired of in relation to the degree of certainty with which he could say that the man whom he saw was M'Leod, and he said in reply, that "He saw a man whom he called M'Leod." Another question was put to him, and he then said, "I mean that I am as sure it was M'Leod as that he now sits before me." This is, gentlemen, his testimony. He submitted to a long cross-examination, and how far it went to shake your confidence in his statements, it is your province, gentlemen, to decide. There is, however, one consideration which I will submit to you; it is this—that when you are to judge of the credit to be attached to the testimony of a witness, it is right and proper that you should observe his manner on the stand, the degree of intelligence which he exhibits, the amount of power of observation and accuracy of recollection, and having done so, you are to decide whether his answers satisfy you that he is honest, and in the whole, whether his statements are of such a character, when taken all in all, that you can rely upon them; and if not sufficient to satisfy you altogether, you must decide in how far you should allow what degree of confidence you must repose in his testimony, and that you will bestow on it, and no more. It is argued by the prisoner's counsel that the degree of darkness which prevailed there, and as testified to, was such as made it exceedingly rash for this witness to pronounce so confidently that he was able to recognize M'Leod as well there as here to day. It is also argued that he stands before you impeached as to his character for truth and veracity, and to sustain this impeachment, witnesses have been called and have appeared before you. One Mr. Bates has testified that he lives near Canandaigua, near the residence of this witness, and he says, that he heard him speaking on this subject, I think at some former period when subpœnaed; and among other things he said he knew nothing in reference to this matter that could do M'Leod any harm or any good. The statement which he makes of what he said is somewhat qualified. It is remarked, on the other hand, that witnesses who are subpœnaed frequently make careless observations, and that this person being a poor man, might wish to avoid attendance on this trial. This is very true that persons often make careless remarks, and had Drown made such a statement in presence of any one who could have excused him from attending here, then the plea of counsel would have been entitled to greater regard from you.

If, in truth, the facts which he has here stated were remembered by him at that time, then they were all facts material, and he could not have said consistently with truth, that he knew nothing of sufficient importance to harm or benefit the prisoner. This, gentlemen, is the extent of that individual's testimony. You are to take it into your consideration, and are to exercise your judgment in reference to the effect it may have in detracting from your confidence in the evidence of Drown. I may add, that in order to restore your confidence in Drown, Bates was questioned, and in reply stated that that individual's character for veracity had latterly improved, that formerly he had been an intemperate man, but was now reformed. The next witness, gentlemen, is Isaac P. Corson. He is a native of this state, a carpenter by trade; he had been at Chippewa in prosecution of his business; he testifies that he was at Macklin's store on the afternoon, of the 29th of December, 1837; that he there saw Mozier, Usher, and the prisoner; that about nine o'clock he saw the prisoner passing out of Davis's; that he also saw him next morning at sunrise with others on the "stoop" —that he was at some little distance—that he could see only his head and shoulders—that he was telling of his exploits, and saying that he had killed a d—d Yankee —that he saw him again two or three days afterwards — that he then said he would like to be on another such expedition and burn Buffalo. This is an analysis of this witnesses's testimony, which is spread over several pages of my minutes. You will recollect, gentlemen, this witness's cross-examination, and will judge how far that weakened the force of the statements made by him on his direct examination. There is, however, one point which demands your particular attention. This witness was inquired of as to who else were present when he heard M'Leod flourishing and boasting of having killed a Yankee. At first the witness could not recollect any one. At length he said he could name one Caswell. He was then asked whether he was present at this trial, and he said yes. He was then asked when it first occurred to him that he saw Caswell there, that morning, and he confessed that it was that very moment. The cross-examination was protracted, and in the course of it, it came out that he had conversed with Caswell as late as the morning of the day on which he testified on the stand before you. That they talked of the affair of the *Caroline*, and that Caswell informed him that he was there that morning. It may be that that was all true, and that it really did not occur to him that Caswell was there till the moment that the question was put to him. But you are to judge of that. The next witness is Charles Parkes, barkeeper at Davis's tavern. He testifies that the prisoner went to bed at Davis's tavern early in the day, and got up between eight and nine o'clock in the evening; that a gentleman called for him, and he went out; that half an hour or three quarters of an hour afterwards he saw him between Davis's and the Chippewa-creek; that a good many people were on the road; that M'Leod went into one of the boats; that at about sunrise next morning he saw him at Davis's tavern; that he again saw him a few days afterwards in the officers

mess-room, and there heard him say that he had killed a d—d Yankee, or something like that. At the close of his examination this witness was asked, whether he could say with considerable certainty that he saw M'Leod at the "cut," and he said he could. He was asked, further, and he said he had no doubt of it. He also stated that it was pretty dark that night, and testifies also to other things on account of which the counsel for the prisoner contends you should take his testimony with considerable grains of allowance. He testifies as to his knowledge of M'Leod, and among other things he says that he once went to see him in company with a brother-in-law, whom he accompanied as a witness in case his evidence should be necessary. That money was paid to M'Leod; but although he went as a witness, he cannot recollect the amount of the money paid on the occasion. It is also argued that this witness tells a very extraordinary story in relation to the manner in which he had been induced to appear here; that he started from home to make certain purchases in Buffalo; that he suspected some one who accosted him on the way with the design of arresting him to insure his attendance as a witness on the trial; that he returned home; again set out, and was arrested in Buffalo before he had time to transact any business; that further, he was ignorant of the law of this state, and was so frightened by the alleged representations of Mr. Hawley, that he (Mr. Hawley) had power to enforce his attendance here, that he consented to come. All this may or may not be the truth. This witness also testifies that he was solicited to come here by persons religiously opposed to bearing arms. Now, gentlemen, I have no opinion to express on these matters. You are the sole judges of this testimony, and with you I leave it. The next witness is Caswell—he whom Corson spoke of, and he testifies in substance that he also saw M'Leod that morning at Davis's tavern. Then comes Quimby; he is the witness from Pennsylvania. He testifies that he resided some two miles from Chippewa. That he was there on the 29th with a load of hay, which he sold to the Government. That he did not get paid for it at the time of the sale. That he remained till evening, and in the course of the evening he saw the prisoner at Davis's tavern. That he remained there from nine till ten o'clock. That he then started for home. Stopped at Pettis's, about a mile off, all night. That he then turned back, and was again in Chippewa between daylight and sunrise. That he went back to get payment for his hay at the Commissary's-office. That he was going there when he saw M'Leod. That he saw him on the "ridge," and that he there heard him boast of his exploits on the *Caroline*, and heard him declare that there was the blood of a Yankee on his sleeve. He is questioned then as to whether he expected to receive payment for his hay at that early hour, and whether there were any persons in the office, and he said there were not; that he wished to be there in good season, but did not, after all, get paid, and finally went home. But, gentlemen, it seems, according to the testimony of Mr. Lott, of Lottsville, Philadelphia, that on one occasion this Quimby came with another person for the purpose of making an affidavit before Mr.

Lott, who is a magistrate, and that that gentleman refused to take the affidavit, because Quimby was unworthy of credit; that he went to another magistrate, by whom the affidavit was taken and sent on. Lott says, that he resides in Lottsville; that the reputation of the witness Quimby, while resident there, was very bad; that he was not to be believed on oath; and that in informing the prisoner's counsel of his character, he (Mr. Lott) had no private motives of malice or revenge to gratify. Now, it is said, and it is true, that ordinarily a witness, to invalidate the testimony of another, should be called from the neighbourhood. But you are the arbiters of this question, and in your hands I leave it. The evidence of Seth Hunnan, for whatever it is worth, is also before you. When examined before, he said M'Leod was not seen by him that morning; he now swears he was. You will give this the credit you deem it deserves. Justice F. T. Stevens is then called and sworn. He testifies that he was present on the night in question, and that he saw three boats go out and return, and he distinctly and positively swears that he saw M'Leod disembark by the beacon light. That is a statement which is not supported by any other witness, and is, on the contrary, hostile to the statements of all the other witnesses on both sides. It cannot be true. He was dismissed from the stand without cross-examination. He has testified to what is a deliberate falsehood—a falsehood for which the palliating plea of the probability of mistake cannot be offered. Leonard Anson is the next witness. He swears that he saw M'Leod at the bar in Davis's tavern; that there were others there who took part in the expedition against the *Caroline*, each boasting as to who had committed the greatest crime; that there he saw M'Leod draw out his pistol, and declare that he had killed a d—d Yankee, and that he pointed out the blood on the stock of the pistol. This, it is contended on the part of the prisoner, is an improbable story—that he could not have seen the blood on the pistol; and other considerations have been submitted to you in relation to the testimony of this individual which it is unnecessary for me to dwell upon now. You are the judges of their weight, and the attention which should be given them. These are, I believe, the only witnesses belonging to the first class of evidence. That is, these are the only witnesses who testify of their own knowledge as to facts unallied with confessions which go to connect M'Leod with this enterprise. And the prisoner's counsel contend that some of these witnesses have been impeached, and that others have appeared in very doubtful circumstances; that the darkness of the night was a good reason why no very great confidence should be placed in the statements of those testifying so positively that they recognized M'Leod with such certainty; and that which they have thus proved is enough to throw some shade of suspicion on the whole. That is the view taken of it by the prisoner's counsel. While, on the other hand, the counsel for the prosecution insist that it is a mass of testimony which you must believe, and which, believing, you cannot doubt the fact of the prisoner's guilt. It is your province to criticise all this, and pass upon it your opinion. The other branch

of the evidence is that contained in the confessions of the prisoner; and there is a principle of law, applicable to that description of evidence, to which the counsel for the prisoner has directed your attention —that confessions are in themselves the most surprising kind of evidence, easily fabricated, and difficult to be disproved, liable to be mistaken, partially heard, partially remembered, and unless corroborated by other testimony, the rule adopted by the elementary writers and sanctioned by the most distinguished jurists, is, that they are the most unsafe description of testimony. Nevertheless, they are competent to be weighed, judged of, and passed upon like all the other evidence in the case. I therefore, gentlemen, call your attention to the evidence of Henry Byers, and I would admonish you, that one rule by which you are to test the declarations of witnesses is, that you are to see whether they are probable—like what men in like circumstances would do. He testifies that on one occasion, whilst he was passing Niagara Falls, he stopped at a tavern and saw M'Leod with a number of others; that M'Leod was accosted by name by another of the party; that he boasted that he had killed one d—d Yankee, or rebel, and that he compelled the witness to "treat the party. You will judge of the credibility of this witness's story; but there is one thing he said which has not been noticed by any one of the counsel, and which may aid you in passing judgment on his evidence; he said that he marked the features of M'Leod well, as he determined to use him in a similar manner, if ever he got him on this side of the frontier. The next witness is Calvin Willson. He is the keeper of a ferry at Youngstown, in Canada, and he says that a few days after the destruction of the *Caroline* he went over to Canada; went into a house where was a person of the name of Rayncock, M'Leod, and others, whom he named, who had been actors in that transaction, and that M'Leod said one of the d—d rebels got shot on the wharf. This witness has been cross-examined at length, and confessed that, though a poor man with a family, he had given 200 dollars to the "Patriot" cause, and declined answering whether or not he had harboured the notorious Lett. To rebut his testimony, a respectable inhabitant of the town of Niagara, named Hamilton, was produced, and testified that he well knew Rayncock, and that that individual was absent in England at the time specified by Willson. The next witness worthy of notice is Timothy Wheaton. He was called by permission after the prosecution rested, the Attorney-General supposing that there had been a reservation in favour of this witness. He deposes that about a year before, he had gone from Whilby, Canada, where he lived, to Niagara. Was near the ferry. Saw M'Leod coming from the water side, and the witness remarked to him that the sentinels had a hard time of it; that they then talked of the Navy islanders, and about their number; that M'Leod said they never would have the *Caroline* there again, and added, that he was the second or third man who boarded her; that then some person, a stranger to witness, interrupted the conversation by taking M'Leod off; that he (witness) turned from the ferry, recollecting he had not a pass, and went back to the town. Gentle-

men, you are carefully to examine this evidence, and decide according to your conscientious conviction of the truth as it really is. If you believe this evidence, notwithstanding some objections to it, and notwithstanding some deductions which are to be made—if you believe that it does, after all, present to you an amount of evidence which is sufficient to call up the prisoner to answer, then you are to take into consideration the defence opened before you. And it is undeniable, that on looking at this mass of evidence there is much of it that appears questionable, and much of it remains that is not powerfully attacked, and that does bear very hard on the question of the prisoner's guilt. But passing from this, you are then to look at the prisoner's side, because it is the right of every man put on trial here to present his witnesses, have them examined, and if he succeed in establishing the defence, to have the full benefit of it. That defence, gentlemen, is what is called an *alibi*. It is, in other words, that he had no part or lot—no sort of participation in this enterprise. And this, after the disposal of the first question already passed upon, is the only other ground of defence that exists; and, in my judgment, no degree of suspicion should attach to it as an original defence, because it is, as I have just said, the only defence that remains for the prisoner at the bar. If he were, in truth, upon the expedition, then is he guilty, and so you must pronounce him. But, gentlemen, if he was at that time five or six or seven miles distant—if he had no participation in that enterprise, then the same great principles of justice require that you should pronounce him innocent.

The evidence sustaining this defence consists of the depositions of individuals avowedly participating in the expedition, and secondly, of the oral testimony of several individuals, showing, or tending to show, that M'Leod was, during the execution of this enterprise, at a distant spot, in another town. First, then, with regard to the evidence of the commissions. The prisoner's counsel is right in telling you that evidence taken in this way is, and should be, less satisfactory than that given personally before you. But so far as the depositions themselves go to describe the individuals testifying, you may derive some information respecting the standing and character of these individuals. Some of them are lawyers, some of them mariners, and some of them officers in her Majesty's service; and by their description they should all be men of character and responsibility. It has been said that this commission was a "roving commission;" that witnesses were examined whose names had not been returned; but there was, in the spirit of liberality, and by consent, a stipulation made that more witnesses than those named might be examined. It was also hinted, that some suspicion should attach to those depositions, from the manner in which they had been made up. [The learned judge here described the manner in which the commissions were executed, and showed that no suspicion could possibly rest upon them. He then proceeded.] The Attorney-General has criticised the testimony of these deponents with great minuteness and equally great ability. He has pointed out where the witnesses have contradicted each other or the truth. For instance, some saying

that resistance was made on board the boat, whereas it has been shown that there was no resistance. If the witnesses swore so, knowing that they were swearing falsely, that will of course detract from their credibility. But Wells himself testifies that he overheard the sounds of fighting, and that in the darkness of the night and in the confusion of the *mêlée*, they all taking a part, had mistaken each other for the occupants of the boat, and that they fought together. If that were true, then it would follow, that in testifying as to resistance encountered on board the boat, they were not false in the corrupt sense of the term. Passing from this, there is this other consideration, which must strike you in the outset. If, when Alexander M'Leod sued out this commission, and directed the commissioners to examine persons who had been in each of the boats, and if in truth he had been present there himself, he must be a bold man indeed. Because he must have supposed, that the commissioners would either have taken only those who could not see in the dark, whether he was there or no, or that the men would have been so corrupt as to swear falsely, to extricate him from the punishment of his crime. But this is no further evidence than as it is a portion of the history of the transaction; and with these views you are to take up the testimony, and ascertain, after solemn inquiry, how much credit you should give these witnesses. It is undoubtedly true, gentlemen, that Sears cannot say, with any degree of certainty, that M'Leod was not on board the expedition. It is equally true, that M'Nab cannot say so, although he superintended the embarkation of the persons engaged in the enterprise. None but the All-seeing eye could penetrate the darkness that shrouded those there associated. But then there are one or two gentlemen from among the inmates of each particular boat who have been examined. Some of them knew M'Leod well before that time; others became acquainted with him afterwards; some talked with and recognized all their associates, and they all testified that M'Leod was not amongst them on that night. Now, gentlemen, it is proper that you should apply the rule distinguishing between positive and negative testimony. It is true, that where one man swears he did see another at any particular spot and period, it is more satisfactory than when he can only say, that the other was not there. But you will take into consideration the reasons which would lead you to believe that the crews of each of the boats must have well known each other, and so pass a correct opinion as to their credibility, when they say positively that M'Leod was not amongst them. With this remark, I leave in your hands this portion of the prisoner's defence. We come now to the proof of an *alibi*, which, if sustained, can leave no doubt of the prisoner's innocence, unless you can believe him gifted with ubiquity. The first witness to prove this is William Press. He swears that he conveyed the prisoner and another person to Niagara, on the day of the destruction of the *Caroline*. That he knows it to be that day, from the fact of having made an entry of the transaction in his cash-book under that date. That he conveyed the prisoner in the evening as far as Stamford, on the way back to Chippewa. That

there prisoner alighted from the waggon, and went to the house of Captain John Morrison. William Stickney was called and corroborated the evidence of Press, and both, I may add, corroborate the statement of Hamilton respecting Rayncocks having left for Europe before the commencement of the troubles in Canada. The family of Captain Morrison and himself swear positively as to M'Leod's being there on the night of the 29th December. Capt. Morrison states, that he is enabled to fix the day from the circumstances that his friend Colonel Cameron called at his gate early next morning and informed him of the destruction of the *Caroline*, and gave him a fragment of the ruins which he had found in an eddy below the Falls; that he told this to M'Leod, whom he found half dressed in the parlour, where he had slept during the night; that M'Leod was electrified, and calling for his horse, purposed to leave immediately, but finally remained for breakfast: after which he went on his way. Then comes the witness Gilkinson—that he met M'Leod on the day after the destruction of the *Caroline* on the road from Stamford; that they rode up together to opposite Navy Island, from which they were fired on; that one of the balls was picked up and handed to M'Leod, who carried it with him; and Sears, you will recollect, states that on this day he saw M'Leod and another person riding along that way, and that they were fired on from Navy Island. The testimony is also corroborated by that of Mr. M'Lean. This is the aggregate of the testimony, gentlemen, on the part of the defence. The evidence of the Morrisons, and the declarations of M'Leod on his examination, have been submitted to you, and criticised by the Attorney-General with great ability. If he has satisfied you that the Morrisons may have been mistaken as to dates, and in particular in reference to this great epoch, and that the other witnesses confronting them may have also been mistaken, then your confidence in this portion of the testimony vanishes. But if you decide on just grounds otherwise, then it should, I think, be deemed satisfactory in establishing the innocence of the prisoner. [Mr. Spencer here requested the Court to charge the jury that the deposition of Colonel Cameron corroborated essentially the statement of Capt. Morrison, which his Honour did, and proceeded.] But, gentlemen, if, even after all, though the prisoner may, in your opinion, have failed completely in proving an *alibi*, yet if he have raised sufficient doubt as to his guilt, he is to have the full benefit of that doubt. The law never divides between the living and the dead—never consigns an individual to the tomb without an overwhelming amount of evidence to prove the guilt of the accused. In this spirit you are now to consider the evidence which I have briefly reviewed before you. And now, gentlemen, my task is performed. Your duty remains to be done. And it is one of the most solemn trusts that can ever be reposed in a citizen. You are to take the case into your deliberate consideration; you are to weigh and decide on every part and portion of it; you are to call into exercise your best powers of judgment, regardless of rumours which may have reached your ears—regardless of every consideration except that of the guiding principle

of justice and impartiality. And when you shall have come to your decision, and declared where the truth lies, then, with an independence that will honour you, and with the noble integrity that your country expects you to exhibit, you will pronounce your verdict. And then I trust that all who have witnessed the trial—the ability with which it has been conducted, and your patience in attending to it—will be satisfied. If the evidence will lead you to say that he is guilty, then, although your decision should wrap your country in the flames of war, you will fearlessly pronounce it. On the other hand, if he be innocent, you will pronounce him so, regardless of threats or murmurs or fear of rebuke; and may the God of truth enable you to decide according to those principles of truth and equity which are the foundations of the eternal throne."

The jury then retired in the charge of an officer, and after being absent about thirty minutes, returned into court, having agreed upon their verdict.

Mr. Root, the Clerk of the Court, having called over their names, inquired, "Gentlemen of the Jury, have you agreed upon your verdict?"

Mr. Thurber (the Foreman.)—We have.

Mr. Root.—How say you—do you find Alexander M'Leod, the prisoner at the bar, guilty or not guilty?

Mr. Thurber.—"Not guilty."

Mr. Root recorded the verdict, and then said, "Gentlemen of the Jury, hearken to your verdict as the Court hath recorded it; you say that he is not guilty, and so you say all.

The jurors nodded assent.

When the jurors returned with their verdict, there were very few persons remaining in Court, and there was no exhibition of feeling from any quarter, except with the prisoner's counsel, who apparently felt relieved from the great responsibility under which they had been placed, and satisfaction with the result of their labours.

PRIVY COUNCIL.

JUDICIAL COMMITTEE.

WOOD *v.* GOODLAKE, HELPS AND OTHERS.

This very important case, the circumstances of which had occupied much of the public attention, and had been repeatedly before the Courts in various shapes, was at length brought to a conclusion by the decision of the House of Lords upon appeal. The question thus decided affected only the personal property of the testator—the case as to the realty, which was not of large amount, is said to have been ultimately compromised, by the payment of a sum of money to the heirs at law.

Judicial Committee of the Privy Council, Monday, August 16.

Their Lordships before whom this appeal was heard assembled at three o'clock at the Council-office, Whitehall, to deliver their judgment. Besides Lord Lyndhurst, the Master of the Rolls, the Vice-Chancellor, Mr. Baron Parke, and Sir Joseph Littledale, Lord Brougham, Mr. Labouchere, and other Privy Councillors, were present.

The Attorney-General, Sir F. Pollock, Mr. Pemberton, Dr. Phillimore, and other counsel in the cause, were in attendance.

Lord Lyndhurst read the judgment, as follows:—This is an appeal from a judgment of the Prerogative Court of Canterbury, pronouncing against the validity of a certain paper writing, dated the 2nd of December, 1834, and propounded with another paper writing, as together containing the will of James Wood; and also against the validity of a codicil propounded by the legatees, dated July, 1835. The testator, James Wood, was a man far advanced in life, being about eighty years of age at the time of his death. He had for many years been engaged in trade in the city of Glocester, as a mercer and banker, and had, by great attention to business, by his careful and parsimonious habits and by bequests from certain of his relations, accumulated a very large estate, amounting to several hundred thousand pounds. The extent of the property in controversy, the obscurity of some of the circumstances, and the extraordinary and mysterious nature of others, have given to this proceeding much interest; and have led to very full and able arguments at the bar, which have been attentively listened to and considered by the Court, and with the more anxiety and care on account of the high character of the very able and learned judge whose decision we have been called upon to review. All the material facts, however, have been so fully stated in the elaborate judgment delivered by that learned judge, that we feel ourselves relieved from the necessity of entering into any minute detail of them, or to occupy any considerable portion of time in stating the grounds of the opinion we have formed. The question, indeed, stripped of extraneous matter, resolves itself into a very limited compass. And, first, it should be observed, that there is no dispute as to the competency of the testator; although very far advanced in age, his faculties were entire, and his attention to business unimpaired. There is no question raised as to the exercise of any undue influence, which would indeed have been inconsistent with the known character of the testator. The points in controversy relate both to the will and the codicil. The question as to the will is confined to the construction of the papers dated respectively the 2nd and 3rd of December, denoted by the letters A and B, and to the circumstances connected with those instruments. We have felt it our duty through the whole of these proceedings anxiously to guard against being unduly influenced in our judgment by the misconduct of some of the parties interested in and connected with this case, imitating in this the caution and circumspection of the learned judge in the court below Adopting then his view, we shall consider the case with reference to the papers A and B, as it would have existed at the death of the testator if A had not been improperly removed and annexed to B, but had remained in the possession of Chadborn; with this reserve, however, that nothing is under the circumstances of this case to be presumed in favour of the appellants. Pursuing this course, then, it will, we think, be convenient and proper first to consider the paper B. That paper is attested by three witnesses, the execution of it is proved, and there is no doubt of its being the act of James Wood, the testator. This paper, however, is inoperative by itself, the property being given to execu-

tors, and they are not named in the instrument. We are not to suppose this omission to have been by mistake or accident. The business was not transacted in a hurry. Chadborn, by whom the will was drawn, was a lawyer of experience; the testator must have known that the executors were not named in the paper. He read it over twice in the presence of the witnesses before he signed it. He was a man of business, and even of some experience in the making of wills. The omission must have been observed. The necessary inference therefore is, that in bequeathing the property to his executors, he must have meant executors already named, or thereafter to be named in some other instrument. The first appears the natural construction; the second forced and very improbable. If he considered he had appointed his executors, it was natural to mention them as he had done—generally, his executors. If he referred to a future appointment, it would have been almost of course to describe them as executors hereafter to be appointed, or to have used words to that effect. Again, the testator must, we think, when he executed paper B, have meant to make an effective disposition of his property. Why should he have made his will bequeathing his property to his executors, and doing nothing more, if he had not fixed upon the persons who were to be his executors? It was doing nothing; it was altogether an idle act, and wholly inoperative for any purpose he can be supposed to have had in contemplation. But if he had fixed upon them, he would naturally have named them, unless he had already done so in some other instrument to which he was then referring. It was obvious, too, he considered he was doing an act that was to have some effect. He was anxious for Chadborn to come to finish the business. After he had twice read the will over he asked in the presence of the witnesses whether he could alter it? Why put that question if he did not consider it to be a complete will—if he knew it to be inoperative until something further were done to make it effectual? It is also to be observed that there is no trace or suggestion of any subsequent appointment of executors; and yet in the codicil, made a few months afterwards (the handwriting of which we think is fully established and which we are hereafter to consider), the testator again speaks of his executors as persons already appointed. He says, "I wish my executors would give such and such sums, &c.;" and after stating the legacies, he proceeds thus—"and I confirm all other bequests, and give the rest of my property to the executors for their own interest." It may indeed be said that there might have been an intermediate appointment of executors, and that this may have been purloined or destroyed. But such an appointment, to be effectual, in this case of real as well as personal property, must have been attested by three witnesses; and if any such instrument had been executed in this interval, it is scarcely possible to suppose there would have been no knowledge, or even trace of it. All this tends to the conclusion, that the testator had already named his executors in some instrument, and that he referred to that instrument and to the executors so named when he executed the paper B. The existence and production of

such an instrument would, we think, render this conclusion irresistible. This being our opinion as to the true import and construction of paper B, the next question will be, was there any such instrument? This leads then to the consideration of the paper marked A. It bears date the 2nd of December, and is signed by the testator, for we are satisfied as to the handwriting. It is entitled "Instructions for the will of me, James Wood, esq., of Glocester," and it proceeds thus: — "I request my friends Alderman Wood, of London, M. P., John Chadborn, of Glocester, Jacob Osborn, of Glocester, and John S. Surman, of Glocester, to be my executors, and I appoint them executors accordingly." In this paper then, purporting to be drawn up by the direction of the testator, signed by him, and dated the day before the date of the will, he expressly names his executors. "I request them to be my executors, and appoint them executors accordingly." The will B begins by referring to instructions. "I, James Wood, do declare this to be my will for disposing my estates, as directed by my instructions." The expressions we think import instructions in writing. If the paper A then be genuine, there were instructions of this description dated only the day before, and signed by the testator. The natural inference, therefore, is that in speaking of instructions he referred to these, and in these instructions he had named his executors. "I request my friends, naming them, to be my executors, and I appoint them executors accordingly." We think, then, if this paper be genuine, that no reasonable doubt can be entertained that the executors to whom the testator thus bequeathed his property were meant to be the persons named as such by him in the paper entitled "Instructions of the 2nd of December." If the testator in the paper, &c., meant as we think he did, executors already named, they must have been the executors named in the instructions of the day before, or there must have been some subsequent written appointment of executors in the interval (an interval of only a few hours), of which there is no trace, and which is extremely improbable. If the testator, then, intended to refer to paper A, and to the persons therein named as executors, the circumstance of the paper being entitled and intended as instructions for the will would not, we think, impair the effect of the reference. For suppose he had in terms said, "The executors named in my instructions of the 2nd of December," this would indisputably have been sufficient. But if we are satisfied, from the circumstances, that he referred to paper A, and to the executors therein named, the same consequence would necessarily follow. The effect of the reference to A would be the same as to any other paper, although A might be intended either in the whole or in part as instructions. It has been argued, that the instructions in paper A could not have been the instruction referred to, because the testator disposed of his property, not according to these instructions, but in a different manner. For, first as to the personal property, the instructions give it to the executors as joint tenants, whereas by the paper B they take it as tenants in common. This objection does not appear to us to be of any weight. The instructions are gen-

eral; the will more precise and specific. In this there is not only no inconsistency, but it is not at all unnatural. Secondly, then, as to the real property. In the paper A the testator says, "He shall dispose of the same to such persons and in such parts, as he shall by any writing endorsed therein direct." By the will, the disposition of the property, both real and personal, is on a separate paper, and without endorsement. This also appears to us to be an immaterial circumstance. These observations and this reasoning have proceeded upon the assumption that the paper A was what it purports to be, the act of the testator, and signed by him on the day it bears date, viz., the day before the date of the will. We are, as I have already stated, satisfied as to the signature; we believe it to be the handwriting of the testator. The paper bears date on the 2nd of December, and there is no appearance of any alteration or addition. The date, we think, was obviously written at the same time as the body of the instrument. But the paper is in the handwriting of a legatee who would take largely under it. It comes also out of his possession, and not out of the possession of the testator, which would have been the proper custody of it after the execution of the paper B. These circumstances and the conduct of Chadborn in secretly changing the custody are justly calculated to create suspicion, and according to the rule of the ecclesiastical court in granting probate, proof of the handwriting alone of the alleged testator, would not in such a case be sufficient. There must be further adminicular or corroborative evidence. Is there then such evidence in this case? And if so, is it sufficient, in connexion with the other circumstances, to satisfy the Court that the paper A is what it purports to be, and that the testator, when he signed and published the paper B and bequeathed his property to his executors, meant the persons named as such in the paper A? And, first, it is not immaterial to observe, that Chadborn, Osborn, and Surman were all present, or at hand, when the will was signed: —neither of them, however, attested the execution, but two servants and a stranger Chadborn's clerk, were called in for that purpose. The inference obviously is, that they were intended to take some benefit under it. There is nothing improbable in the selection of persons named as executors: there is nothing improbable arising out of the amount of the property, as it was subject to be reduced by subsequent legacies, which it is obvious the testator intended to give. In considering the evidence of recognition, I pass over the many loose declarations made at different times in general conversation. We place no reliance upon them—they are even of less value than they might otherwise be, from the insincerity and sort of low cunning exhibited in the character of the testator. Some point to Chadborn alone as the party to be benefitted—but these are open to the explanation, that they were used as an excuse to prevent claims by tenants, and were not really true. Sometimes Alderman Wood and Chadborn are said to be the parties to be benefitted; and they two are said to be his "executors, and to have the bulk of his property." I allude to the evidence of Mrs. Timbrell. If on that occasion he

said that they were to be two of his executors, and to share in the bulk of his property (a very slight change), such declaration would accord with the supposition that paper A was referred to. It is remarkable that in no one instance is any person mentioned as his executor, except some one of the four named in the paper A. There are declarations mentioning Chadborn, or those in the house, namely, Osborn and Surman, as having the management of his affairs; but there are none mentioning any one else as executor or manager except one or more of the four mentioned in paper A. The declarations in favour of other individuals as objects of his bounty do not affect this question; for they are reconcilable, if true, and really expressive of the deceased's intention, with the supposition, which is undoubtedly correct, that he meant to leave many legacies to others. But the most important recognitions are those which are proved by Sutton and Stevens, and to which it will be proper more particularly to advert. The first shows a motive for making a will appointing executors arising before the 1st of December—namely, the opinion of the customers as to the necessity of providing for the payment of their accounts. Sutton appears to have been on very friendly and intimate terms with the testator. The testator had at different times expressed to him his dissatisfaction that the deposits at his bank were diminishing; and, in reply, Sutton reminded him that unless the public were satisfied that their balances would be immediately receivable in the event of his death, his banking business must diminish, notwithstanding the security derived from his large property. Sutton says:—"In the afternoon of Monday, the 1st day of December, 1834, I accidentally called at the deceased's, and saw in the shop Mr. Surman, who, addressing me said, 'Mr. Sutton, you have a great deal of influence with Mr. Wood; we want him to make a will, and wish you to speak to him about it,' or to that effect. I did not at that time see the deceased, but went away, telling Mr. Surman that I would call again in the evening. Soon after six o'clock the same evening I went to the deceased's, and found him in his parlour and alone. I sat and conversed with him for some time on general topics, until, at length, I opened the subject by saying, that I thought it was time that 'his will was made,' or 'that he made his will.' His reply was very short; he said, 'Ay, ay, I must.' Upon this I dropped the subject, and soon after took my leave." Of the date, he says, "I am certain, by reason of a note I made on the 2nd of December, 1830, of the visit. In the course of the same week, and I believe on the 4th of December, 1830, I again called on the deceased, and, going with him into his parlour, I reverted to the subject of making his will, rather, as I believe, hinting at it, than mentioning it in direct terms. The deceased readily apprehended me, and said, 'I have settled my affairs, my debts will be paid when I die.'" Taking the whole of these conversations together, he must, we think, have meant to convey to Sutton that he had so settled his affairs, that his debts would be paid immediately on his death, which could only be the case if he had appointed executors. His

reply on the 1st of December, shows that he had not then made his will; he says, "Ay, I must." Three days afterwards, on the 4th, he says, "I have settled my affairs; my debts will be paid when I die," thereby implying that he had appointed executors. The appointment, then, must have been made between the 1st and the 4th, which corresponds precisely with the dates of papers A and B, and shows that B, not naming executors, must have referred to some other instrument executed between the 1st and the 4th, by which they were named, and which corresponds with and confirms paper A. Sutton adds, that the impression made on his mind by this conversation was too powerful to be forgotten; for it struck him as remarkable that the testator did not say he had made his will, but only "that he had settled his affairs," an expression, the witness says, which struck him forcibly. He afterwards adds, in answer to a further interrogatory put to him by Thomas Helps, that "the impression made on his mind by what the deceased said, namely—"I have settled my affairs; my debts will be paid when I die, was, that he had not made a will," that is, a will by which he had bequeathed his property in the way of bequest or legacy. He seems, therefore, to have understood from this conversation that the deceased had made a will so far only as to secure the payment of his debts in the event of his decease, which implied the appointment of executors; and, accordingly, Sutton continued to bank with the testator to the time of his death. This, we think materially confirms the case of the appellants. The evidence of Stevens, upon which considerable stress has been laid, also appears to us to be entitled to much attention. He and his father had cash deposits in the hands of the testator to the amount of upwards of 2,000*l*. They were desirous of knowing what the testator had done as to his will, as they might be put to much inconvenience respecting this balance in the event of his dying intestate. The witness was empowered and directed by his father to withdraw the balance unless the explanation should be satisfactory. Upon the application made by Stevens to the testator, he said, "I respect your father very highly; do tell him that I have made a will, and that I left my property to four individuals, or four good men, and they are my executors, and they will pay you and your father and every one else." Speaking of the executors he said, "Two of them are Alderman Wood and Jacob,"—that is Osborn. Upon this assurance the witness said, he continued to bank with the testator. This took place in the month of September, 1835. It was not a loose and careless conversation, but, on the contrary, a very distinct recognition—very deliberately made in the course of business, and is strongly confirmatory of the case of the appellants. The answer of Mrs. Goodlake has been referred to. We think it admissible, though under all the circumstances of her position, and in the absence of any opportunity for cross-examination, we should not, if it stood by itself, consider it as having much weight. She was alone with the testator for a considerable time in the forenoon of the Monday before his death, having been sent for in consequence of his illness. Mrs. Goodlake, on

that occasion, spoke to him about the propriety of making his will, when the testator, in allusion, as she believed, to her various suggestions on this subject, after tracing his relationship to the respondent and her son, and speaking of the uncle of the respondent, who had been a trustee under the will of the testator's father, "Cousin John," he said, "was a very good kind of man; then I shan't live long; it will be all right by-and-by;" or to that effect: and the testator, proceeding to speak about his will, said, "Don't fret yourself to fiddle-strings; Alderman Wood will spend the money very properly. Chadborn has done all my business many years, and he has been very honest and attentive. Mr. Osborn has been a very faithful servant, and our John I always loved. He always was a great favourite of mine; he knows all about it, and can tell you all about it." This is also confirmatory of the written documents, and, if correct, shows that the four persons named in the paper A were objects of the testator's bounty. It appears singular, indeed, that Surman had not made any communication to his mother, Mrs. Goodlake, on the subject of the will, and yet he certainly was present when it was signed and published by the testator. The result then is this:—We are of opinion that the paper A, entitled "Instructions," was signed by the testator, and on the day it bears date. That in the paper B the testator referred to these instructions, and to the persons whom he had therein named as his executors. That, in addition to the proof of handwriting, there is sufficient confirmatory evidence to satisfy us that the paper A was the act of the testator, and that he meant, in mentioning his executors in paper B, the executors whom he had previously named or appointed in the paper A. We must not be understood to say, that this is a case free from doubt; we consider, on the contrary, that it is involved in difficulty, and that it is in many of its circumstances painfully obscure. But, after much and attentive consideration, we think the balance of evidence, and by that we must be governed, is in favour of the appellants. An objection of form was taken at the bar, but was not I think much pressed—viz., that there was a material variance between the allegation and the proof. We think the objection cannot be sustained. If enough of the allegation is proved to entitle the party to probate, that is all that is necessary. Next as to the codicil, we think it is (both the body of the instrument and the signature) in the handwriting of the testator. The evidence in the affirmative so greatly outweighs that which is opposed to it, as to satisfy us on this point. That evidence has been so thoroughly sifted, both at the bar and by the learned judge in the court below, as to render any further examination of it unnecessary. It derives further strength and confirmation from the conduct of the executors. They were intimately acquainted with the handwriting of the testator, and with everything relating to him. They saw the codicil, and expressed no doubt as to its genuineness. It is true, that the letter of the 13th of June, to the Mayor of Glocester, was written before they had seen the original; but they afterwards saw and examined it, long before the post left London on that day,

They made no objection; and in their subsequent letter, and in the search for the other codicil, they acted upon it as if it were a genuine instrument. It was not till some time afterwards that they altered their course, and treated it as a forgery. But, according to the rule of practice to which I have before adverted, the Ecclesiastical Court will not grant probate on the sole evidence of the handwriting of a testator, where that is disputed. There must be some confirmatory proof. This confirmatory proof must evidently vary with each particular case; and would require to be more or less stringent according to the weakness or strength of the evidence as to the handwriting. In some of the cases referred to in the arguments at the bar the confirmatory proof appears to have been very slight. We think, however, that there are in this case, in addition to the very strong evidence of handwriting, several circumstances leaving, in the result, no doubt on our minds that the codicil was the act of the testator. It is evident that he had it in contemplation to make a codicil or codicils to his will. This appears as well from the will itself, as from the question put by him to Chadborn at the time of executing it. It is not, indeed, probable that he would have left so very large a property to be enjoyed solely by his executors. There is nothing in the dispositions which it contains to lead us to doubt the genuineness of the instrument; and if it does not notice every person who might naturally have been an object of his bounty, this may be explained by the circumstance of there having been a previous codicil, to which this instrument refers. Several facts insisted upon to show that the paper was a forgery, tend strongly, upon investigation, to prove that it is the act of the testator; as an instance, I refer to the incorrectness respecting the name of counsel. It is not probable that a person forging such an instrument would have misspelt it, particularly a person who must, from the nature of the dispositions, obviously have been well acquainted with the testator and his connexions. So as to the use of figures instead of words in stating the sums bequeathed to the legatees. A forger would have conformed to the usual practice of the testator. Again: stress was laid upon the peculiar manner in which the *x* was formed in the word "executors." It is a mere cross, whereas his usual practice was to make an *s*, and then to cross that letter. But on a careful search, instances have been found among the books and papers of the testator, and which were, as the learned judge observes, very reluctantly produced, of similar deviations from his usual practice, and also of the same inaccuracy in spelling the name of counsel. These are singular and striking coincidences, and there are others of a similar nature strongly confirmatory of the evidence of the handwriting. It is true that these are minute circumstances, but their very minuteness, we think, adds to their importance, and affords the strongest internal evidence of the genuineness of the instrument. It has been observed, and we think justly, that it is not at all probable that a person forging such an instrument would have referred to a former codicil, and thereby unnecessarily increased the means of detection. The very amount, too, of the legacies, and,

above all, the charges against the executors, would almost of necessity lead to opposition. Looking, too, at the different dispositions in the codicil, it is almost impossible to suppose that if the instrument had been a forgery it would not have been detected by some inaccuracy or exposed by some inconsistency. There are other circumstances of confirmation which are not immaterial. It is proved that the testator had by a former will bequeathed a sum of 20,000*l.* to the city of Gloucester. This was at a period when his circumstances were very different from what they were at the date of the codicil. He had in the interval received large accessions to his property; but unless the codicil be genuine, there is no bequest to the city. In a conversation with Hopkins, in February, 1836, after the date of the codicil, and in the presence of several persons whose names are given, the testator, in allusion to some suggestion made by the witness, stated that he had not forgotten "Old Gloucester," or "Poor old Gloucester." And this corresponds with the evidence of Elizabeth Whalley, who states that on a former occasion he had said "He would do great things for old Gloucester." It is stated, indeed, that he sometimes declared that the corporation should not be the better for him; but his declarations in favour of the city, and particularly that to Hopkins, made after the date of the codicil, agree with the documentary proof and confirm it. Again, in the codicil there is a bequest to a relation, Samuel Wood, of 14,000*l.*, and to his family of 6,000*l.* He had, in fact, six children; the 6,000*l.* and the 14,000*l.* make 20,000*l.* He had given the same sum (20,000*l.*) in each of the two preceding bequests to two other relations, Mrs. Goodlake and Thomas Wood. Now it appears, that in a conversation with Samuel Wood, the testator had asked him how many children he had, and the form of this bequest appears to be the result of that conversation, and corresponds with it. These circumstances, more or less weighty, and in particular the internal evidence to which I have referred, are in confirmation of the codicil, and, added to what we consider as the all but conclusive evidence as to the handwriting of this holograph instrument, satisfy us that the codicil was the act of the testator. But then it comes nobody knows whence or from whom. It was sent anonymously to one of the parties claiming under it. This is a circumstance justly calculated to create suspicion, and would, under ordinary circumstances, have been a most material and formidable objection. But the evidence in this case leads to the conclusion that the papers of the testator have been improperly dealt with. It is proved, as we think, satisfactorily that Chadborn, who had committed, or attempted a fraud, in the annexation of the papers A and B, was in the house of the testator at an early hour on the day after his death, while Osborn and Surman were still in bed. The explanation is insufficient, and at variance with the proof. It is admitted that papers were burnt, and one of them probably of a testamentary character. These circumstances appear to us greatly to weaken the force of the objection. Adverting here again to the charge against the executors, would a person forging such an instrument have

made such a charge? On what grounds? It was not known at the time when the codicil was produced that papers had been burnt; that there had been anything irregular in the conduct of the parties. They were respectable in station and character. But the misconduct and burning are charged, and it turns out most unexpectedly to be true. The person, therefore, who produced this paper must have had some knowledge of these transactions—some connexion with them; and this explains the possession of the codicil, and shows why it was not produced from the repositories of the testator. Then as to the alleged cancellation. We think, if this be a genuine instrument, that the *onus* to make out the fact of cancellation is on those who oppose the codicil. It seems that a corner has been burnt, the paper torn through, and in one place across the signature; but by whom, and under what circumstances, does not appear. There is nothing whatever to show that it was done by the testator, or, if so, with what intention it was done. If it be a genuine instrument it proves that there was also another codicil, and which is not forthcoming. It is obvious, we think, that it must have been improperly dealt with, for if it was defaced by the testator, he would either have entirely destroyed it, or it would have been found in this state among his papers. The circumstance of its being in other hands shows that a fraud has been practised, and that no safe conclusion can be drawn from its appearance that it was burnt or torn by the testator. But even if it had been found among the testator's papers at the time of his death, we incline to think some further evidence, beyond its present appearance, would be necessary to show that he intended to cancel it. Our opinion, therefore, is, that the codicil ought to be proved. Another question remains—the question of costs. We think it reasonable and proper in this case that the costs of all the parties, as well here upon the appeal as in the court below, should be paid out of the estate.

Judicial Committee of the Privy Council.

July 1.

Reeve *v.* Kent.—In this case their Lordships decided a question of considerable importance in the construction of the New Will Act. It was an appeal from the Prerogative Court of Canterbury, which, on the 13th of February, 1840 rejected an allegation propounding and praying probate of the will, as it originally stood, of Mr. William Brooke, who died on the 28th of June, 1839, the will bearing date the 15th of July, 1837, with a codicil dated the same year. By the will, the testator empowered each of the persons made tenants for life of his real estates thereby devised, to appoint to the use of any woman he might marry, for her life, as her jointure, 200*l.* a year, issuing out of the said estates. The will was duly executed under the old law; but on the 28th of June, 1838, he, with a knife, erased this amount of annual jointure, and altered the sum to 100*l.*, writing under the clause of attestation, at the end of the will, a memorandum of what the alterations were, and signing the same; but they were not attested

agreeably to the new act, which came into operation on the 1st of January, 1838. The allegation pleaded these facts, and exhibited the draught of the will, containing the words as they originally stood. The judge in the court below held that, although nothing could be more clear than the intention of the testator — namely, to reduce the annual charge upon his estates for jointure from 200*l.* to 100*l.*, yet the alteration not being executed in the presence of two witnesses, was void under the 21st section of the act, "except so far as the words or effect of the will before such alteration was not apparent;" and the testator having erased the words so as to render the former sum not apparent, he could not pronounce for either, the Court not being at liberty to admit other evidence than appeared on the face of the will itself.

Dr. Lushington delivered the judgment of their Lordships. After considering the state of the law, as to wills of real and personal property prior to the statute, the object which the statute had in view, namely, to provide one uniform mode of executing all wills, and of altering and revoking the same, thereby to do away with the anomalies and distinctions respecting property of different kinds; and after stating the effect of various clauses of the act, and observing that the present question related to real property; the learned judge remarked, that the act required by the 20th section, that the revocation of a will, "by the burning, tearing or otherwise destroying the same by the testator," should be "with the intention of revoking the same;" and that their Lordships were of opinion that the construction to be given to the succeeding section (the 21st), as to alterations, was, that the same intention must accompany the acts; otherwise, absurd consequences would follow, since the burning or tearing of a will without intention to revoke would be ineffectual; whereas the alteration of a will without intention to revoke might render ineffectual the most important parts of it. In all cases, under the statute of frauds, as well as under the present act, the intention was indispensable. Under the former statute, burning, tearing, or cancelling *sine animo revocandi*, were ineffectual, and similar principles must be applied to the present statute, there being nothing in the statute to lead to a contrary interpretation. Then how was the intention of the testator to be ascertained? By precisely the same rules of evidence as whilst the statute of frauds was in force. In the present case, there was sufficient proof, that the testator did not intend to revoke the will absolutely, but only to substitute a different sum. The words substituted could not stand, as the alterations were not attested in conformity with the statute; the will must, therefore, stand in its original state.

Their Lordships consequently reversed the decree in the court below, retained the cause, admitted the allegation which had been rejected, and rejected the allegation given in in this court, and as there could be no doubt as to the facts, the counsel would agree to probate being granted at once.

This was assented to, and probate of the will was granted as it originally stood.

COURT OF CHANCERY.

Rules, Orders, and Regulations made by the Lord Chancellor, with the Advice and Consent of the Master of the Rolls, relative to the Forms and Mode of Proceeding in the Court of Chancery.

Order of Court, Aug. 26, 1841.

The Right Hon. Charles Christopher, Lord Cottenham, Lord High Chancellor of Great Britain, by and with the advice and assistance of the Right Hon. Henry, Lord Langdale, Master of the Rolls, doth hereby, in pursuance of an Act of Parliament passed in the fourth year of the reign of her present Majesty, entitled "An Act for facilitating the Administration of Justice in the Court of Chancery," and of an Act passed in the fourth and fifth years of the reign of her present Majesty, entitled "An Act to amend an Act of the fourth year of her present Majesty, entitled 'An Act for facilitating the Administration of Justice in the Court of Chancery,'" order and direct in manner following; that is to say—

1. That there shall forthwith be prepared a proper alphabetical book for the purposes after-mentioned, and that such book shall be called the solicitors' book, and shall be publicly kept at the office of the Six Clerks, to be there inspected without fee or reward.

2. That every solicitor, before he practise in this court in his own name solely, and not by an agent, whose name shall be duly entered as after-mentioned, and every solicitor, before he practise as such agent, shall cause to be entered in the solicitors' book, in alphabetical order, his name and place of business, or some other proper place, in London, Westminster, or the borough of Southwark, or within two miles of Lincoln's-inn-hall, where he may be served with writs, notices, orders, warrants, rules, and other documents, proceedings, and written communications, in causes and matters depending in this court; and as often as any such solicitor shall change his place of business, or the place where he may be served as aforesaid, he shall cause a like entry thereof to be made in the solicitors' book; and that the above-mentioned entries shall be made in such book by the said six clerks, who shall be entitled to a fee of 1*s.* for every such entry; and that the fund arising from such payment shall be applied, in the first instance, in paying the expenses of providing and keeping such book.

3. That all writs, notices, orders, warrants, rules, and other documents, proceedings, and written communications, which do not require personal service upon the party to be affected thereby, shall be deemed sufficiently served if such document, or a copy thereof, as the case may be, shall be left at the place lastly entered in the solicitors' book by the solicitor of such party; and if any solicitor shall neglect to cause such entry to be made in the solicitors' book as is required by the second order, then the fixing up a copy of any such writ, notice, order, warrant, rule, or other document, proceeding, or written communication, for such solicitor in the said Six Clerks' office shall be deemed a sufficient service on him, unless the Court shall, under special circumstances, think fit to direct otherwise.

4. That if any solicitor shall give his consent in writing that the service of all or any writs, notices, orders, warrants, rules, or other documents, may be made upon him through the post-office or otherwise, such service shall be deemed sufficient if made in such manner as such solicitor shall have so agreed to accept; but it shall be competent for any solicitor giving such consent at any time to revoke the same by notice in writing.

5. That no person shall be allowed to appear or act, either in person, by solicitor, or counsel, or to take any proceedings whatever in this court, either as plaintiff, defendant, petitioner, respondent, party intervening, or otherwise, until an entry of the name of his solicitor and his solicitor's agent, if there be one, or if he act in person his own name and address for service, shall have been made in the solicitors' book at the office of the Six Clerks; but if such address of any person so acting in person shall not be within London, Westminster, or the borough of Southwark, or within two miles of Lincoln's-inn-hall, then all services upon such person not requiring to be made personally shall be deemed sufficient if a copy of the writ, notice, order, warrant, rule, or other document to be served be transmitted to him through her Majesty's post-office to such address as aforesaid.

6. That no writ of attachment with proclamations, nor any writ of rebellion, be hereafter issued for the purpose of compelling obedience to any process, order, or decree of the court.

7. That no order shall hereafter be made for a messenger or for the Sergeant-at-Arms to take the body of the defendant for the purpose of compelling him to appear to the bill.

8. That if the defendant, being duly served with a subpœna to appear to and answer the bill, shall refuse or neglect to appear thereto, the plaintiff shall, after the expiration of eight days from such service, be at liberty to apply to the Court for leave to enter an appearance for the defendant; and the Court, being satisfied that the subpœna has been duly served, and that no appearance has been entered by the defendant, may give such leave accordingly; and that thereupon the plaintiff may cause an appearance to be entered for the defendant, and thereupon such further proceedings may be had in the cause as if the defendant had actually appeared.

9. That upon the sheriff's return *non est inventus* to an attachment issued against the defendant for not answering the bill, and upon affidavit made that due diligence was used to ascertain where such defendant was at the time of issuing such writ, and in endeavouring to apprehend such defendant under the same, and that the person suing forth such writ verily believed, at the time of suing forth the same, that such defendant was in the county into which such writ was issued, that the plaintiff shall be entitled to a writ of sequestration in the same manner that he is now entitled to such writ upon the like return made by the Sergeant-at-Arms.

10. That no writ of execution, nor any writ of attachment, shall hereafter be issued for the purpose of requiring or compelling obedience to any order or decree of the High Court of Chancery, but that the party required by any such order to do any act shall, upon

being duly served with such order, be held bound to do such act in obedience to the order.

11. That if any party who is by an order or decree ordered to pay money, or do any other act in a limited time, shall, after due service of such order, refuse or neglect to obey the same according to the exigency thereof, the party duly prosecuting such order shall, at the expiration of the time limited for the performance thereof, be entitled to an order for a Sergeant-at-Arms, and such other process as he hath hitherto been entitled to upon a return *non est inventus* by the commissioners named in a commission of rebellion issued for non-performance of a decree or order.

12. That every order or decree requiring any party to do an act thereby ordered, shall state the time after service of the decree or order within which the act is to be done; and that upon the copy of the order which shall be served upon the party required to obey the same there shall be endorsed a memorandum in the words or to the effect following, viz.: "If you, the within-named A. B., neglect to perform this order by the time therein limited, you will be liable to be arrested by the Sergeant-at-Arms attending the High Court of Chancery, and also be liable to have your estate sequestered for the purpose of compelling you to obey the same order."

13. That upon due service of a decree or order for delivery of possession, and upon proof made of demand, and refusal to obey such order, the party prosecuting the same shall be entitled to an order for a writ of assistance.

14. That the memorandum at the foot of the subpœna to appear and answer shall hereafter be in the form following, that is to say, "Appearances are to be entered at the Six Clerks'-office, in Chancery-lane, London; and if you do not cause your appearance to be entered within the time limited by the above writ, the plaintiff will be at liberty to enter an appearance for you, and you will be subject to an attachment and the other consequences of not answering the plaintiff's bill, if you do not put in your answer thereto within the time limited by the general orders of the Court for that purpose."

15. That every person, not being a party in any cause, who has obtained an order, or in whose favour an order shall have been made, shall be entitled to enforce obedience to such order by the same process as if he were a party to the cause; and every person not being a party in any cause, against whom obedience to any order of the Court may be enforced, shall be liable to the same process for enforcing obedience to such order as if he were a party to the cause.

16. That a defendant shall not be bound to answer any statement or charge in the bill, unless specially and particularly interrogated thereto, and a defendant shall not be bound to answer any interrogatory in the bill, except those interrogatories which such defendant is required to answer; and where a defendant shall answer any statement or charge in the bill to which he is not interrogated only by stating his ignorance of the matter so stated or charged, such answer shall be deemed impertinent.

17. That the interrogatories contained in the interrogating part of the bill shall be divided as conveniently as may be from each other, and numbered consecutively, 1, 2, 3, &c.; and the interrogatories

which each defendant is required to answer shall be specified in a note at the foot of the bill, in the form or to the effect following; that is to say, "The defendant (A. B.) is required to answer the interrogatories numbered respectively 1, 2, 3, &c." And the office copy of the bill taken by each defendant shall not contain any interrogatories, except those which such defendant is so required to answer, unless such defendant shall require to be furnished with a copy of the whole bill.

18. That the note at the foot of the bill specifying the interrogatories which each defendant is required to answer, shall be considered and treated as part of the bill; and the addition of any such note to the bill, or any alteration in or addition to such note, after the bill is filed, shall be considered and treated as an amendment of the bill.

19. That instead of the words of the bill now in use preceding the interrogating part thereof, and beginning with the words "To the end therefore," there shall hereafter be used words in the form or to the effect following:—"To the end, therefore, that the said defendants may, if they can, show why your orator should not have the relief hereby prayed, and may, upon their several and respective corporal oaths, and according to the best and utmost of their several and respective knowledge, remembrance, information, and belief, full, true, direct, and perfect answer make to such of the several interrogatories hereinafter numbered and set forth as by the note hereunder written they are respectively required to answer; that is to say—

"1. Whether, &c.

"2. Whether, &c."

20. That a defendant in a country cause shall be allowed no further time for pleading, answering, or demurring to any original or supplemental bill, or bill of revivor, or to any amended bill, than is now allowed to a defendant in a town cause.

21. That after the expiration of the time allowed to a defendant to plead, answer, or demur (not demurring alone) to an original bill, if the defendant shall have filed no plea, answer, or demurrer, the plaintiff shall be at liberty to file a note at the Six Clerks'-office to the following effect:—"The plaintiff intends to proceed with his cause as if the defendant had filed an answer traversing the case made by the bill, and the plaintiff had replied to such answer and served a subpœna to rejoin;" and that a copy of such note shall be served on such defendant in the same manner as a subpœna to rejoin is now served; and such note, when filed (a copy thereof being so served), shall have the same effect as if the defendant had filed an answer traversing the whole of the bill, and the plaintiff had filed a replication to such answer, and served a subpœna to rejoin; and after such note shall have been so filed, and a copy served as aforesaid, the defendant shall not be at liberty to plead, answer, or demur to the bill without the special leave of the Court.

22. That a plaintiff shall not be at liberty to file a note under the 21st order until he has obtained an order of the Court for that purpose, which order shall be applied for upon motion without notice, and shall not be made unless the Court shall be satisfied that the defendant has been served with

a subpœna to appear and answer the bill, and that the time allowed to the defendant to plead, answer, or demur (not demurring alone) has expired.

23. That where no account, payment, conveyance, or other direct relief is sought against a party to a suit, it shall not be necessary for the plaintiff to require such party, not being an infant, to appear to and answer the bill, but the plaintiff shall be at liberty to serve such party, not being an infant, with a copy of the bill, whether the same be an original or amended or supplemental bill, omitting the interrogating part thereof; and such bill, as against such party, shall not pray a subpœna to appear and answer, but shall pray that such party, upon being served with a copy of the bill, may be bound by all the proceedings in the cause; but this order is not to prevent the plaintiff from requiring a party against whom no account, payment, conveyance, or other direct relief is sought, to appear to and answer the bill, or from prosecuting the suit against such party in the ordinary way, if he shall think fit.

24. That where a plaintiff shall serve a defendant with a copy of the bill under the 23rd order, he shall cause a memorandum of such service, and of the time when such service was made, to be entered in the Six Clerks'-office, first obtaining an order of the Court for leave to make such entry, which order shall be obtained upon motion without notice, upon the Court being satisfied of a copy of the bill having been so served, and of the time when the service was made.

25. That where a defendant shall have been served with a copy of the bill under the 23rd order, and a memorandum of such service shall have been duly entered, and such defendant shall not, within the time limited by the practice of the Court for that purpose, enter an appearance in common form, or a special appearance under the 27th order, the plaintiff shall be at liberty to proceed in the cause as if the party served with a copy of the bill were not a party thereto; and the party so served shall be bound by all the proceedings in the cause in the same manner as if he had appeared to and answered the bill.

26. That where a party shall be served with a copy of the bill under the 23rd order, such party, if he desires the suit to be prosecuted against himself in the ordinary way, shall be entitled to have it so prosecuted; and in that case he shall enter an appearance in the common form, and the suit shall then be prosecuted against him in the ordinary way; but the costs occasioned thereby shall be paid by the party so appearing, unless the Court shall otherwise direct.

27. That where a party shall be served with a copy of the bill under the 23rd order, and shall desire to be served with a notice of the proceedings in the cause (but not otherwise to have the same prosecuted against himself), he shall be at liberty to enter a special appearance under the following form; (that is to say,) "A. B. appears to the bill for the purpose of being served with notice of all proceedings therein;" and thereupon the party entering such appearance shall be entitled to be served with notice of all proceedings in the cause, and to appear thereon, but the costs occasioned thereby shall be paid by the party entering such

appearance, unless the Court shall otherwise direct.

28. That a party shall not be at liberty to enter such special appearance under the 27th order, after the time limited by the practice of the Court for appearing to a bill in the ordinary course, without first obtaining an order of the Court for that purpose, such order to be obtained on notice to the plaintiff; and the party so entering such special appearance shall be bound by all the proceedings in the cause prior to such special appearance being so entered.

29. That where no account, payment, conveyance, or other relief is sought against a party, but the plaintiff shall require such party to appear to and answer the bill, the costs occasioned by the plaintiff having required such party so to appear and answer the bill, and the costs of all proceedings consequential thereon, shall be paid by the plaintiff, unless the Court shall otherwise direct.

30. That in all suits concerning real estate which is vested in trustees by devise, and such trustees are competent to sell and give discharges for the proceeds of the sale and for the rents and profits of the estate, such trustees shall represent the persons beneficially interested in the estate, or the proceeds or the rents and profits, in the same manner and to the same extent as the executors or administrators in suits concerning personal estate represent the persons beneficially interested in such personal estate; and in such cases it shall not be necessary to make the persons beneficially interested in such real estate or rents and profits parties to the suit, but the Court may, upon the consideration of the matter on the hearing, if it shall so think fit, order such persons to be made parties.

31. That in suits to execute the trusts of a will it shall not be necessary to make the heir-at-law a party, but the plaintiff shall be at liberty to make the heir-at-law a party where he desires to have the will established against him.

32. That in all cases in which the plaintiff has a joint and several demand against several persons, either as principals or sureties, it shall not be necessary to bring before the Court, as parties to a suit concerning such demand, all the persons liable thereto; but the plaintiff may proceed against one or more of the persons severally liable.

33. That where a demurrer or plea to the whole bill shall be overruled, the plaintiff, if he does not require an answer, shall be at liberty immediately to file his note in manner directed by the 21st order, and with the same effect, unless the Court shall, upon overruling such demurrer or plea, give time to the defendant to plead, answer, or demur; and in such case, if the defendant shall file no plea, answer, or demurrer within the time so allowed by the Court, the plaintiff, if he does not require an answer, shall, on the expiration of such time, be at liberty to file such note.

34. That where the defendant shall file a demurrer to the whole bill the demurrer shall be held sufficient, and the plaintiff be held to have submitted thereto, unless the plaintiff shall, within twelve days from the expiration of the time allowed to the defendant for filing such demurrer, cause the same to be set down for argument; and where the demurrer is to part of the bill the demurrer shall be

held sufficient, and the plaintiff be held to have submitted thereto, unless the plaintiff shall, within three weeks from the expiration of the time allowed for filing such last-mentioned demurrer, cause the same to be set down for argument.

35. That where the defendant shall file a plea to the whole or part of a bill, the plea shall be held good to the same extent and for the same purposes as a plea allowed upon argument, unless the plaintiff shall, within three weeks from the expiration of the time allowed for filing such plea, cause the same to be set down for argument, and the plaintiff shall be held to have submitted thereto.

36. That no demurrer or plea shall be held bad and overruled upon argument, only because such demurrer or plea shall not cover so much of the bill as it might by law have extended to.

37. That no demurrer or plea shall be held bad and overruled upon argument, only because the answer of the defendant may extend to some part of the same matter as may be covered by such demurrer or plea.

38. That a defendant shall be at liberty by answer to decline answering any interrogatory or part of an interrogatory from answering which he might have protected himself by demurrer, and that he shall be at liberty so to decline, notwithstanding he shall answer other parts of the bill from which he might have protected himself by demurrer.

39. That where the defendant shall by his answer suggest that the bill is defective for want of parties, the plaintiff shall be at liberty, within fourteen days after answer filed, to set down the cause for argument upon that objection only, and the purpose for which the same is so set down shall be notified by an entry to be made in the registrar's book in the form or to the effect following; that is to say, "Set down upon the defendant's objection for want of parties," and that where the plaintiff shall not so set down his cause, but shall proceed therewith to a hearing, notwithstanding an objection for want of parties taken by the answer, he shall not at the hearing of the cause, if the defendant's objection shall then be allowed, be entitled as of course to an order for liberty to amend his bill by adding parties; but the Court, if it thinks fit, shall be at liberty to dismiss the bill.

40. That if a defendant shall, at the hearing of a cause, object that a suit is defective for want of parties, not having by plea or answer taken the objection, and therein specified by name or description the parties to whom the objection applies, the Court (if it shall think fit) shall be at liberty to make a decree saving the rights of the absent parties.

41. That where a defendant in equity files a cross-bill against the plaintiff in equity for discovery only, the costs of such bill, and of the answer thereto, shall be in the discretion of the Court, at the hearing of the original cause.

42. That where a defendant in equity files a cross-bill for discovery only against the plaintiff in equity, the answer to such cross-bill may be read and used by the party filing such cross-bill, in the same manner and under the same restrictions as the answer to a bill praying relief may now be read and used.

43. That in cases in which any exhibit may by the present prac-

tice of the Court be proved *vivâ voce* at the hearing of a cause, the same may be proved by the affidavit of the witness, who would be competent to prove the same *vivâ voce* at the hearing.

44. That where a defendant makes default at the hearing of a cause, the decree shall be absolute in the first instance, without giving the defendant a day to show cause; and such decree shall have the same force and effect as if the same had been a decree *nisi* in the first instance, and afterwards made absolute in default of cause shown by the defendant.

45. That every decree for an account of the personal estate of a testator or intestate shall contain a direction to the Master to inquire and state to the Court what parts (if any) of such personal estate are outstanding or undisposed of, unless the Court shall otherwise direct.

46. That a creditor whose debt does not carry interest, who shall come in and establish the same before the Master under a decree or order in a suit, shall be entitled to interest upon his debt at the rate of 4*l.* per cent. from the date of the decree, out of any assets which may remain after satisfying the costs of the suit, the debts established, and the interest of such debts as by law carry interest.

47. That a creditor who has come in and established his debt before the Master under a decree or order in a suit shall be entitled to the costs of so establishing his debt, and the same shall be taxed by the Master, and added to the debt.

48. That in the reports made by the Masters of the Court, no part of any state of facts, charge, affidavit, deposition, examination, or answer brought in or used before them shall be stated or recited; but such state of facts, charge, affidavit, deposition, examination, or answer shall be identified, specified, and referred to so as to inform the Court what state of facts, charge, affidavit, deposition, examination, or answer was so brought in or used.

49. That it shall not be necessary, in any bill of revivor or supplemental bill, to set forth any of the statements in the pleadings in the original suit, unless the circumstances of the case may require it.

50. That in any petition of rehearing of any decree or order made by any judge of the Court it shall not be necessary to state the proceedings anterior to the decree or order appealed from or sought to be re-heard.

51. That the foregoing orders shall take effect as to all suits, whether now depending or hereafter commenced, on the last day of Michaelmas Term, 1841.

F. R. BEDWELL,
Registrar.

DISTRINGAS ON STOCK.

The following order has been made under the recent Act, transferring the equity jurisdiction of the Court of Exchequer to the Court of Chancery, for regulating the practice as to putting a *distringas* on stock, which practice existed in Exchequer, and is by the act transferred to Chancery:—

"ORDER OF COURT.

"*Wednesday, the 17th day of November*, 1841.

"The Right Hon. John Singleton Lord Lyndhurst, Lord High Chancellor of Great Britain; by

and with the advice and assistance of the Right Hon. Henry Lord Langdale, Master of the Rolls; the Right Hon. Sir Lancelot Shadwell, Vice-Chancellor of England; the Hon. the Vice-Chancellor James Lewis Knight Bruce, and the Hon. the Vice-Chancellor James Wigram; and in pursuance of an act passed in the 5th year of the reign of her present Majesty, entitled 'An Act to make further provisions for the Administration of Justice,' doth hereby order and direct in manner following, that is to say—

"1. That any person or persons claiming to be interested in any stock transferable at the Bank of England, standing in the name or names of any other person or persons, or body politic or corporate, in the books of the Governor and Company of the Bank of England, may, by his or their solicitor, prepare a writ of *distringas* pursuant to the said act, in the form set out in the first schedule to the said act, and may present the same for sealing at the Subpœna-office.

"2. That upon the presentment of such writ for sealing, and on leaving with the patentee of the Subpœna-office an affidavit duly sworn by the person, or one of the persons, applying for such writ, or his solicitor, before one of the Masters or Masters Extraordinary of this court, in the form set out at the foot of these orders, the same writ shall (in conformity with the orders of this court for issuing and sealing writs of subpœna) be forthwith sealed with the seal of the Subpœna-office; and such writ when sealed shall have the same force and validity as the writ of *distringas* heretofore issued out of the Court of Exchequer.

"3. That such writ of *distringas* and all process thereunder may at any time be discharged by the order of this Court to be obtained as of course upon the petition of the party on whose behalf the writ was issued, and to be obtained upon the application by motion, or notice, or by petition, duly served, of any other person claiming to be interested in the stock sought to be affected by such writ; and that upon or after such application, such costs thereof, and in relation thereto, and to the said writ, as to this Court shall seem just, may, if this Court shall think fit, be awarded, and ordered to be paid by the person or persons, who obtained such *distringas*, or upon an application by any other person, or persons, by such person or persons.

"4. That the Governor and Company of the Bank of England having been served with such writ of *distringas*, and a notice not to permit the transfer of the stock in such notice and in the said affidavit specified, or not to pay the dividends thereon, and having afterwards received a request from the party or parties in whose name or names such stock shall be standing, or some person on his or their behalf, or representing him or them, to allow such transfer, or to pay such dividends, shall not by force or in consequence of such *distringas* be authorised, without the order of this Court, to refuse to permit such transfer to be made, or to withhold payment of such dividends for more than eight days after the date of such request.

"5. That upon leaving such affidavit as aforesaid with the patentee of the Subpœna-office, there shall be paid to such patentee the sum of 1*s.* for filing such affidavit; and that within twenty-four hours

from the time when such affidavit shall be so left, the said patentee shall pay the said sum of 1*s.* to the clerk of the affidavits, and cause such affidavit to be filed and registered at the office of such clerk.

"6. That upon the sealing of such writ of *distringas* the sum of 5*s.* 6*d.* shall be paid to the patentee of the Subpœna-office, and that out of such sum the said patentee shall pay the sum of 4*s.* to the Accountant-General, to be by him placed to the credit of the account entitled 'the Suitors' Fee Fund Account.'

"7. That for and in respect of the preparation and service of such writ of *distringas* and the *præcipe*, and attendance in respect thereof, such costs shall be allowed as by the rules and practice of this court are allowed for the preparation and service and attendance in respect of a writ of subpœna to answer a bill."

FORM OF AFFIDAVIT.

"Y Z (the name of the party on whose behalf the writ is sued out) *v.* the Governor and Company of the Bank of England.

"I, A B, of ——, do solemnly swear, that according to the best of my knowledge, information, and belief, I am (or if the affidavit is made by the solicitor, C D, of ——, is) *bonâ fide* and beneficially interested in the stock hereinafter particularly described, that is to say (here specify the amount of the stock to be affected by the writ, and the name or names of the person or persons, or body politic or corporate, in whose name or names the same shall be standing); and that I have reason to believe, and do believe, that there is danger of such stock being dealt with in a manner prejudicial to my interest (or to the interest of the said C D, as this case may be).

"Lyndhurst, C.
"Langdale, M. R.
"Lancelot Shadwell, V.C.
"J. L. Knight Bruce, V.C.
"James Wigram, V. C."

LORD CHANCELLOR'S COURT.

Wednesday, Jan. 13.

Attorney-General *v.* Fishmongers' Company.—The Lord Chancellor delivered judgment in this and the following case, which were argued some time since. The object of the information was to fix a charitable trust on property given to the Fishmongers' Company, by the will of Sir Thomas Kneseworth, in 1513. The testator devised certain lands for the purpose of supplying loans to poor members of the Company, and other objects, and also for prayers to be said for his own soul and those of his family. The surplus was given towards the repair of premises belonging to the Company, and other purposes beneficial to them. His Lordship said the provision for loans was a distinct one, and when the surplus was to be applied to a different object, which failed, the former charity could not on that account be augmented. Therefore, although the prayers for the dead were a superstitious use, and the lands to support it of consequence forfeited to the Crown, the information failed as to depriving the Fishmongers' Company. The statute 1 Edward 6th, gave all obits and anniversaries, and the property respecting them, to the King, from whom the Company had repurchased it, and held it under letters patent of that monarch, confirmed by those of James 1st. The lands in

question were within that statute, and the result was, that the Company obtained all belonging to the Crown by the grant.

Saturday, Jan. 23.

ATTORNEY-GENERAL *v.* IRONMONGERS' COMPANY.—The Lord Chancellor delivered judgment in this case, which arose upon a bequest in the will of Thomas Betton, who died in 1723, for the redemption of Christian slaves in Barbary and Turkey. Direct objects for the application of this charitable fund, of which the Company were appointed trustees, having failed, Lord Brougham, in 1833, directed the Master to report upon some mode of employing it *cy-pres* to the original intention of the donor. A report was subsequently made, and confirmed by the Master of the Rolls, applying it to the second object of the testator's bounty, which was in favour of charity schools, and also to a third, for the benefit of necessitated members of the Ironmongers' Company, as a compensation for the trouble in the trust. His Lordship now said it was a matter of uncertainty, where one charitable object failed, whether a subsequent one was or not *cy-pres* to the first. In this case the third object was a very narrow one, and no guide to the testator's general intentions. He should therefore exclude the third gift, and reverse the decree of the Master of the Rolls, except as far as it declared the object of the first bequest had failed. In place of what was struck out, an order must be substituted, directing the accumulation to be applied for the benefit of charity schools in England and Wales, provided that, according to the expressed wishes of the testator, they were in conformity with the Church of England, and that no one school should receive more than 20*l.* a year. The relations, and the parties to the information, were entitled to their costs, but not the crowd of charities which had intervened for the purpose of preferring their claims to a participation of the testator's bounty. His Lordship in conclusion said, that with regard to the Mico Charity, as the trustees had been invited to take part in the discussion, he should not impose costs upon them.

VICE-CHANCELLOR'S COURT.

Wednesday, May 5.

WALDO *v.* WALDO.—This was a petition by an equitable tenant for life of certain estates at Heaver, in Kent, without impeachment of waste, who had lately come into possession on the death of a preceding tenant, who had power to cut down only such timber as was necessary for repairs, praying that a sum of 2,637*l.* 3 per cent. Consols, the produce of a quantity of timber which had been cut down by the trustees, with the consent of the tenant for life, to prevent its falling into decay, might be paid to him.

The Court had sanctioned the act of the trustees, and the dividends had been paid to Mrs. Waldo, the late tenant for life, up to the date of her death. The present petition, therefore raised a question on which no precedent could be found, whether the *corpus* of the fund on the death of the first tenant for life belonged to the next tenant, unimpeachable for waste, or whether it fell into the inheritance.

The Vice-Chancellor said, he did not recollect that the precise point had ever before come under the consideration of the Court. From the way the question was argued in the case of "Tooker v. Annesly," 5 Sim., he was induced at that time to look into all the authorities, and he remembered that they only amounted to this, that where the Court did interfere it would go on to make an application of the proceeds of timber which constituted the inheritance, by investing it in the 3 per Cents., and pay the interest to the parties in succession. The present point must be determined by analogy, and the whole law, as far as tenant for life without impeachment of waste was concerned, was thus expressed in the resolution in Lewis Bowles's case:—"The clause of 'without impeachment of waste' gives a power to the lessee, which will produce an interest in him, if he executes his power during the priority of his estate." That he believed was the true law, and for that reason, where there was an estate settled to one for life without impeachment of waste with remainders over a power of sale to be exercised with the concurrence of the tenant for life, the Court had refused to permit the power to be exercised by selling the whole and excepting from the purchase-money the value of the timber, to be paid to the tenant for life. The very case occurred forty years ago, before Sir W. Grant, who held, that a tenant for life who had an option of cutting timber should not sell the whole estate, and have the value of the timber excepted. That was an authority for the case where the tenant for life was unimpeachable of waste, but in cases where, either by the act of God, or by the act of the Court, timber, which was standing as part of the inheritance, became converted into Consols, and the Court had dealt with it as representing the estate of inheritance, by giving a commutation of the rights which the tenant for life impeachable of waste would have, his Honour thought when the estate of the tenant for life had ceased, the Court would consider only the estate of the trustee or person next in possession, and if he was unimpeachable of waste and asked to have the *corpus* paid to him that he only asked for that which by analogy the law gave him a right to exercise when his estate came into possession. In strict analogy to that, when an estate in remainder came into possession in the shape of an estate for life without impeachment of waste, the person that was entitled took that portion of the inheritance which was represented by the proceeds of the timber cut.

ROLLS' COURT.

February 2.

Robinson *v.* Grant.—In this petition there was this singularity—that Mrs. Mason, a married lady, had appointed her husband, Thomas Mason, to be one of the trustees of her separate income, which was derived from a sum of 10,000*l.* in consols, and she now desired that he might receive the dividends.

Lord Langdale.—Such an appointment was peculiar. The object of trustees was to put the fund out of the power of the husband, but the course this lady had taken was to enable her husband to receive. However, as it appeared from the affidavit that the

lady was aware of the consequences, and understood what she was doing, the prayer of the petition must be granted.

July 8.

HALE *v.* HALE.—This motion, commenced yesterday, was resumed to-day. Mr. Pemberton and Mr. Romilly were for the plaintiff, the Rev. John Hale, clerk; and Mr. Kindersley, Mr. Bethell, and Mr. Goodeve, for the defendant, George Hale, opposed the motion.

Mr. Pemberton said, the object was to have a receiver appointed, to wind up the affairs of a partnership, to take the usual accounts, and for the production of documents. The plaintiff and defendant were concerned as partners in the Wheat Sheaf Brewery in Redcross-street, London; and the defence was, that the plaintiff, being a clergyman, was incapable of having any interest in the partnership, or any claim upon the defendant. The bill stated that Joseph Hale, the father of the plaintiff, was possessed of the stock in trade, book debts, &c., of the brewery in copartnership with William Wiggins, Wall, Lynn, and the defendant George Hale, under the firm of Hale and Co., and that Joseph Hale, by his will, made in July, 1810, bequeathed his property to John Pewtriss and George Hale, upon trust, after the death of his wife, to pay or permit his son John Hale, the plaintiff, to receive all the residue of his estate and effects, and declared, that in case the plaintiff and his nephew George Hale (the defendant) should be desirous of continuing the trade of a brewer, his trustees should have power to lend the plaintiff such sums as they should think sufficient for that purpose, and he appointed his wife, Pewtriss, and Hay, as his executors. The testator died in 1812; the executors proved his will and allowed his share to remain in the brewery, and annually received the profits. The brewery was carried on until 1815, when a new partnership was established between the defendant George Hale, Wiggins, Lynn, and Pewtriss, in the character of executors of the testator. Pewtriss died in 1827, and in 1828 Wiggins and Lynn retired. The brewery was then carried on by the defendant George Hale, on behalf of himself and the representatives of the testator. In 1832 Mrs. Hale, the widow of the testator, died, and the defendant, who was then the sole surviving legatee in trust of the residue of the property of the testator, and also his sole surviving executor, carried on the business as the manager of the brewery both on his own and on the account of the plaintiff, as the person entitled to the residue of Joseph Hale's estate. Accounts were from time to time delivered by the defendant to the plaintiff. The business, however, turning out less profitable than it used to be, the plaintiff became desirous of putting an end to it as far as he was concerned, and proposed that the defendant should pay him the value of his interest, or that the concern should be sold. The parties could not agree upon the terms of the dissolution, and in consequence the bill was filed for an account, for a receiver, and to put an end to the business. The answer alleged that the accounts had been settled from time to time, but the plaintiff said those settlements were not binding upon him. That was not, however, material

to the present question. The defendant said, that, as long as the business was profitable, the plaintiff was anxious to remain in it, although he now wished to quit it; but that by the act of 21st of Henry the 8th it was enacted, that no spiritual person should have, use, or occupy, by himself or other persons, any brewhouse, &c.; and that by the 53rd of George the 3rd, no spiritual person can carry on any business, and also that by an act of her Majesty no spiritual person can carry on trade or business for profit; that the suit was vexatious, being to open settled accounts; that it originated from the defendant's refusal to admit the plaintiff's son-in-law into partnership; and the defendant insisted upon the statutes as a bar to the relief sought, in the same manner as if he had pleaded them. He however added, that he had notwithstanding continued to pay, and still offered to pay, the plaintiff the proportion of profits coming to him in respect of the business; and was willing, upon the withdrawal of the suit to come to the fullest account. This defence, if maintainable in law, must be painful for a gentleman to raise against his cousin, with whom from 1812 to 1841 he had been dealing as partner. If there were anything in the objection, it would deserve serious consideration how far it would be competent for the defendant, who had been dealing with the plaintiff, who was a mere sleeping partner, twenty-nine years, to raise it now; but the point was free from all doubt. The statutes had been repealed by 1st and 2nd of the Queen, cap. 106, by the 29th section of which it was not lawful for spiritual persons to engage in trade, except in certain cases, amongst which is the case where the trade or share in the trade shall have devolved upon a spiritual person by devise, bequest, settlement, marriage, &c. The business, by the will of his father, thirty years ago, devolved upon the plaintiff, who did not come within the statute, and this was a case in which the defendant had not only excluded his partner, but had absolutely denied his right.

Mr. Romilly followed on the same side.

Mr. Kindersley, for the defendant, said, that to prevent the brewery being put to a stop, which would be the effect of granting the present application, the defendant had taken the legal objection. The accounts were examined and approved by the Rev. John Hale. It was arranged that the defendant should be the manager, and be allowed for it 200*l.* a-year, so that the plaintiff was making the defendant his agent. The plaintiff had gone through the accounts and had ticked them. It appeared from the letters of the plaintiff, that he was acquainted with the act of Henry the 8th, for in them he writes, "If I think proper to run the risk of a *qui tam* action? or why not substitute my wife's name?" The plaintiff had been before, in point of fact, in the name of Pewtriss, a partner in the firm. The testator died in 1812, and the plaintiff was his residuary legatee, absolutely entitled to his property. He continued to carry on the trade after the expiration of the partnership, and could it now be said that the trade had devolved upon him? After Pewtriss's death, in 1833, the plaintiff and defendant, without any written articles, tacitly agreed to carry on the busi-

ness together. The plaintiff sought to put an end to the brewery, by appointing a receiver, insisting upon his right, as residuary legatee, to have the whole affair closed, and came with an interlocutory application to destroy the defendant's trade, which he had been carrying on for thirty or forty years. The plaintiff put his claim, not upon the footing of a partner, but asserting that, as residuary legatee to his father, he had a right to an account from his father's executor. Had the defendant really refused the plaintiff his share, one moiety, the present defence would have been ungracious, but the defendant took it as a defence to the course adopted by the plaintiff, of endeavouring to destroy the trade altogether. His Lordship had simply to decide upon the dry question of law, and he submitted that the plaintiff was, as a spiritual person, within the penalty of the act.

Mr. Pemberton replied, and, referring to the act of the Queen, said, that under it the trade might go on, and the effect of the act was not that the spiritual person was to forfeit the civil benefits of his contract, for the law was completely altered in that respect, but that the clergyman should not remain in the enjoyment of his benefice. The act created a penalty of the spiritual preferment of the trader. The Court was dealing with a strictly penal statute, which was to be construed with the greatest severity against the party contending for the penalty. The brewery had devolved from the father to the son. He had no desire to say more than was necessary of this most ungracious defence and the denial of the plaintiff's right, who was ready to take security, and had not the remotest desire to inconvenience the defendant.

Lord Langdale said, that it was an extraordinary defence. After the testator's death, it was suggested that it was not competent for the plaintiff, being a spiritual person, to enter into the trading concern. The consequence was, to vest the interest in another person, and the executors agreed to continue in the firm for him. Ultimately, however, the whole interest became vested in the plaintiff and the defendant, the plaintiff not being a mere nominal partner, but a common interest was admitted. They had gone on for thirty years, during the whole of which time the defendant had been paying to the plaintiff his share, admitting his interest as a partner, so that it was a matter of surprise that when relief was asked, the defendant should say to the plaintiff, "You are a spiritual person, and entitled to nothing; when your legal title is defeated, I will account with you in such manner as I shall think best." The property of the testator was continued in the trade in which he employed it. Had the legatee or executor a right to the mere pecuniary value only, or to the profits made by the continuing partnership? Had he not a right to have the value obtained accurately? It was, however, said, he should not have it in the way he required, and the statutes were appealed to. He (Lord Langdale) must consider those statutes before he expressed his opinion. If they did not preclude the plaintiff, the defence was unfortunate, for it denied that the plaintiff had any claim. Looking at all these matters, it was very expedient for the parties to come to an arrangement without the interference of the

Court. He would consider the statutes and the notice of motion.

Thursday, July 29.

THE ATTORNEY-GENERAL *v.* DULWICH COLLEGE.—Lord Langdale delivered his judgment on this information, heard last January. The information prayed that it might be declared who the parties were that were entitled to participate in the benefits of the charity; that the charity ought to be extended to a greater number of objects; that the number of scholars might be increased; for a reference to the master as to the residence of the members, the government of the college, and the appropriation of the revenue by a scheme, and that in such scheme regard should be had to the statutes and will of the testator. On the 21st of June, 1619, by letters patent of James 1st, licence was granted to Edward Alleyne, for the maintenance of poor men, women, and children, and for the education of poor children, to found one college in Dulwich to endure for ever, to consist of one Master, one warden, four fellows, six poor brethren, six poor sisters, and twelve poor scholars; to be maintained, educated, and governed according to such ordinances and statutes as he (Alleyne) should make in his lifetime, or any person specially nominated by him should make after his death; the college to be called God's Gift; the master, warden, &c., to be a body corporate, with perpetual succession, and the Archbishop of Canterbury to be for ever the visitor of the college, and to have power to visit, order, and punish according to the ecclesiastical laws of England, and according to such ordinances as Alleyne should make. By deed of the 13th of September, 1619, Alleyne established the college, and nominated the master, warden, fellows, brethren, sisters, and poor scholars, to have perpetual succession according to such ordinances; and by deed of the 24th of April, 1620, he conveyed land to the sole and only use of the master, warden, fellows, &c., and for no other intent or purpose whatever. On the 29th of September, 1626, six years after the endowment, the founder established certain statutes for the government of the college, prescribing qualifications and duties, and how the revenues were to be distributed. He seemed to consider he was in some respects entitled to vary the foundation; he appointed six chanters for music and singing in the chapel, who were to be appointed junior fellows, and thirty members, and, desiring that a portion of those poor persons should be chosen out of three parishes, he directed the churchwardens of St. Botolph, St. Saviour, Southwark, and St. Giles without Cripplegate, now St. Luke, to make choice of ten poor persons each, five men and five women of each parish, to be members, and to be admitted into the almshouses at London, and thence to be admitted into the college; and he appointed the manner of choosing them by lot; and he ordered to be paid to each of the chanters a certain annual sum, and to each of the thirty members a weekly payment of 3*d*. Alleyne, by his will of the 13th of November, 1626, gave several specific bequests to the college, and directed his executors to build ten almshouses in each of the three parishes, and died on the 26th of December in the same

year. The directions of Alleyne, if followed, would have altered the foundation of the college. A bill was filed by the rector of St. Botolph against the college, and the surviving executor of Alleyne for discovery and relief. The answer was, that the lands amortized were barely sufficient, so that the latter addition of six chanters and thirty members could not be maintained, and it was added that the revenues ought not to be parted with for that purpose, but the executor was content to charge himself with the remainder of the money in his hands (120*l.*) to build almshouses. The parishes, however, desired the money rather than the almshouses; unless the maintenance of the almspeople could be had, and by consent it was ordered that the executor should pay the 120*l.* upon the security of the parishes that the money should be duly applied, and upon payment the executor was to be discharged of the bequest. Disputes, however, arose, and Archbishop Sheldon, in 1664, made an order of regulation, which was enforced by an injunction of the 9th of October, 1667. Applications were made to Archbishop Wake, in 1725, to rescind the injunction of Archbishop Sheldon, but he would not interfere. Other proceedings were taken, but at last Lord Chancellor King, by his decree, on the 4th of April, 1728, declared that the founder, Alleyne, had no right to add to the original corporation, and to allot shares to the six chanters and thirty members. After this decree the churchwardens were desirous of trying the question at law, and Archbishop Wake allowed the college to defend any action; but none was brought, and the nonpayment to the thirty parishioners and six chanters was acquiesced in, until the Charity Commissioners made their report. They submitted to the Attorney-General that the opinion of the Court upon extending the charity should be taken, and the information was accordingly filed in June, 1836, stating that the rights of the parishes were not bound by Lord King's decree in 1728; that the revenue was increased; the shares of the members so great as to be inconsistent with the real object of the founder's bequest; that by reason of the nonpayment to the thirty almsmen and six chanters, the members received something they were expressly intended not to receive; and that under such circumstances it became necessary that further regulations should be made. The defendants argued that those parts of the statutes made by Alleyne, professing to give money to the chanters and almsmen were void, that the revenues were duly appropriated, that if any regulations were necessary they ought to be made by the visitor, and that the present interference was unnecessary. It was admitted in argument that the founder could not alter the corporation or engraft new members upon it; but it was urged that there was a trust to maintain the thirty members and six chanters, and that the Court ought to execute that trust. He (Lord Langdale) was of opinion that Alleyne, the founder, was not entitled by the statutes he made, after the letters patent, or by his will, to make any alteration in the original foundation, or to endow any part of the property comprised in the letters patent for any other purpose. It was not com-

petent for the founder to subject the same lands to any other trust or purpose. The objects of the foundation were specified and enumerated, and the ordinances directing the application to any other purpose were invalid. After the endowment the founder was no longer owner of the property, no longer at liberty to change his intention. If different property had been given to the college by Alleyne's will a question about that might have arisen, but the college received nothing excepting through the deed of endowment. The other question was respecting the abuse of the charity. It was not necessary for the Court to interfere. There was a special visitor appointed. There had been nothing complained of, even if the complaint were well founded, but what might be regulated by the visitor. A question was raised whether the Attorney-General had authority to sue in the form adopted. It was unnecessary to give an opinion upon that, because as no trust was to be declared by the Court, or authority exercised for the regulation of the charity, the information must be dismissed.

Wednesday, Nov. 17.

THE ATTORNEY-GENERAL *v.* PRETYMAN AND OTHERS. — Lord Langdale gave judgment on this information, respecting the Hospital of St. John the Baptist, in the manor of Meer, Lincolnshire, founded by Simon de Roppel in 1244, argued yesterday. His Lordship said, he was glad, upon reading the answer, to find that there was not altogether that spirit which he apprehended had prevailed, that there was not that disposition which might have existed before the commissioners of inquiry. The answer had not been put in in such a manner as to throw difficulty in the way of the Court treating the case with that sort of discretion which it exercised on these subjects. He therefore thought, that the value of the charity property (the manor of Meer, about 874 acres), at a rack rent, viz., the rent at which it ought to have been let for a term of twenty-one years, should be put upon it; and that if the defendant, Mr. Pretyman, were charged with the amount of such full value for the portion of the term, to be calculated from the time of the report of the commissioners until the expiration of the lease, that would be sufficient, and would be the best way of setting the matter right. It would not be unjust either to the party or to the public; but then the defendant, Mr. Pretyman, must pay the costs of the other defendants. These costs had been paid out of the funds. He supposed the strictly regular form would not be insisted upon, and that there would be no objection to an order as between the different defendants.

Mr. Kindersley said, he thought there would be no objection.

Lord Langdale.—The question then would be, how the value of the land would be fixed; it ought to be the value upon a proper lease, a lease extending to the utmost time to which any of the existing leases extended.

Mr. Pemberton. — There was only one lease. He did not know whether it had or had not been renewed since the filing of the information.

Lord Langdale.—If there had been a renewal, the defendant must of course pay any fine he had got.

Mr. Kindersley believed there had been no renewal.

Lord Langdale.—If there had been no renewal since the lease stated in the pleadings, the inquiry would be, to ascertain the rent proper to be paid on a lease, at the time the lease was granted, for twenty-one years, and the defendant must be charged with the full payment of such rent during the whole of the time that the present lease had subsisted.

Mr. Pemberton.—That would be one way of doing it. Probably the better way would be to set a value upon the difference between the real rent and the rent reserved from 1835 (the date of the report of the commissioners) to the expiration of the existing lease, and that that should be paid in a gross sum.

Lord Langdale.—To set a value upon the increased rent—that would answer the purpose. Supposing the property was worth 1,200*l.* a year, which it appeared to be, then as a rent of 32*l.* a year only was reserved, the defendant would have to pay the difference between these two rents from the time of the commissioners' report. If a value were put upon the difference of the two rents for the whole term, then the value of the difference from the date of the commissioners' report to the present time might be known by exact computation, and the defendant would have to pay that, and for the remainder of the term would have to pay the full rent. The lease was in 1817, the report in 1835. If there should really be any difference, the defendant would probably lay a proposal before the Master, which possibly the Attorney-General might think right to accept, and then there could be no further difficulty. If there should be a difference as to the sum, it must be referred to the Master to compute what would be properly payable by the defendant, upon the principle that the defendant must pay the difference of the rent which would up to the present time have accrued, and must also pay during the remainder of the lease, rent according to the value of the premises.

Mr. Kindersley.—On the principle of the land having been let, at the time the renewal took place, for twenty-one years at a rack rent.

Central Criminal Court,

March 3.

Loss of the Dryad.

Trial of Michael Shaw Stewart Wallace, and Patrick Maxwell Stewart Wallace.

The case of the Wallaces excited very great interest among all connected with shipping, by the atrocity of the crime, and the immense amount of property of which it was suspected the insurers and underwriters had been defrauded by their deeply-laid and successful schemes. It seems sufficiently probable that these nefarious transactions had been carried on without discovery, and probably without suspicion, for a long series of years; and from evidence discovered in the course of this investigation, there is strong reason to suppose that at least six vessels, in which the Wallaces were interested either as respects the vessels themselves or their cargoes, had been wilfully wrecked, and the underwriters defrauded of immense sums.

Michael Shaw Stewart Wallace, aged twenty-nine, described as a seaman, and Patrick Maxwell

Stewart Wallace, aged twenty-five, merchant, were indicted, (before Chief Justice Tindal and Mr. Justice Bosanquet), and the indictment, which extended to a very great length and contained twenty-six counts, set forth,—that Edmund Loose, late of London, mariner, on the 10th day of November, in the third year of her present Majesty's reign, being Captain of a certain vessel called the *Dryad*, the property of Alexander Howden and others, did, by force and arms, upon the high seas, and within the jurisdiction of the Admiralty of England, and within the jurisdiction of the Central Criminal Court, feloniously, unlawfully, and maliciously, cast away and destroy the said vessel, with intent thereby, then and there, to prejudice the said Alexander Howden and others, against the form of the statute in such case made and provided; and that Patrick Maxwell Stewart Wallace, late of London aforesaid, before the aforesaid felony was committed in form aforesaid—to wit, on the 3rd day of August, in the year aforesaid, did feloniously and maliciously incite, move, procure, counsel, aid, and command the said Edmund Loose the said felony in manner and form aforesaid to do and commit. And further, that Michael Shaw Stewart Wallace, late of London aforesaid, did in like manner feloniously and maliciously incite, move, procure, counsel, hire, and command the said Edmund Loose the said felony in manner and form aforesaid to do and commit, against the statute, and against the peace, &c.

The other counts varied in the parties against whom the felony was alleged to have been directed, and in the description of the vessel.

The prisoners severally pleaded "Not Guilty."

Mr. Jervis applied to the Court to allow his client, Michael Wallace, to withdraw his plea, and to suspend it until the principal offender named in the indictment was apprehended and brought to justice. The present indictment was framed according to the old form of indictment, against an accessory before the fact at common law. He was well aware that the statute of the 7th of George 4th, chap. 64, sec. 9, contemplated the indictment of an accessory before the fact in three different ways; and it enacted that accessories before the fact at common law, or under the statute, might be indicted and convicted with the principal felon, or after the conviction of the principal felon, or indicted and convicted as of a substantive felony, though the principal felon shall not have been convicted or shall not be amenable to justice. Now, the only way in which a party charged can know how to proceed to his defence, was by reference to the form of the indictment, because the mode of proceeding in a course taken under the statute must influence the mode of proceeding at the trial—questions as to the admissibility of evidence, for much that would be admissible to prove the guilt of the principal, if he were on his trial, would not be admissible as against a party charged as accessory. Here, he repeated, the indictment was in the common law form, against Loose as principal, and against the Wallaces as accessories before the fact. He did not know, that it was necessary for him to put a construction upon

what was termed a substantive felony, for that point had been argued in the case of the Caspars, but he apprehended the true test was this—that a substantive felony was that which would stand by itself against an accessory before the fact, independent of the charge against the principal, and that although the guilt of the accessory might be mixed up with that of the principal, the test as to whether the accessory was bound to take his trial at once was the observance whether the indictment was so framed that the principal could come in and plead to it. If he could do so he (Mr. Jervis) apprehended the party charged as accessory had a right to say, "I will not be tried." It was true that the principal in this case was dead, but still the indictment ought to be framed under the statute, and not at common law.

The Attorney-General, *contra*, submitted that the present form of indictment was that which had been followed ever since the passing of the Statute 7th George 4th, c. 64. Under that Act it was quite clear these prisoners might be indicted, tried, and convicted, without the trial and conviction of the principal, and the only objection raised was as to the form of the indictment; but the whole question was, whether, in the absence of the principal, the prisoners at the bar were not bound to plead?

The Lord Chief Justice. — It seems rather a ground to put off the trial until the principal is found than a ground to postpone the plea.

The Attorney-General. — Just so. The prisoners were bound to plead, and, having pleaded, they might be tried on this indictment; and what grounds were there for putting off the trial? It was admitted that Loose, the captain, was dead. Were they, then, not to be put on their trial? He utterly denied, that at common law accessories could not be tried in the absence of the principal. It was true the prosecutor must prove the *corpus delicti;* the guilt of the principal he admitted, and it was with that view the statute of 7th Geo. 4th had been passed.

After some further discussion in a low tone between the Court and Counsel,

The Lord Chief Justice said—We are not disposed at present to give any opinion upon the point, but it shall be open to Mr. Jervis to open it again afterwards, if it should be necessary.

Mr. Jervis inquired whether the Court held, for the purposes of to-day, that this was a substantive felony?

The Lord Chief Justice.—Yes.

Mr. Jervis.—Then it is a separate offence in each person charged as an accessory, and they are entitled to be tried separately. The Crown, therefore, must make their election which case they will first proceed with.

The Attorney-General. — We proceed first against Patrick Maxwell Stewart Wallace.

The prisoner, Patrick Maxwell Stewart Wallace, having been given in charge,

The Attorney-General stated the case to the jury. It was alleged against the prisoner at the bar that he had been concerned in a scheme for fraudulently effecting insurances upon a ship, her freight, and goods on board that ship, and for wilfully casting her away for the purpose of defrauding the underwriters. The nature of that

offence he could not better describe than in the words of a great and eloquent judge, Lord Stowell, in this Court on a similar occasion. When sitting as Judge of the Admiralty, and on charging the Grand Jury on a case similar to the present, Lord Stowell said, "One peculiar case will call for the most diligent application of your powers of inquiry—the offence of sinking a ship and cargo with intent to defraud the underwriters. To you, who are commercial men, it is unnecessary to say much on its malignity; it strikes at the root of the maritime commerce, and consequently of the power and the security of this country, so intimately connected with the prosperity of its maritime commerce. It is owing to the property of that class of men, the insurers, who by dividing the risk increase the security of private individuals, and give the benefit of large capitals to the adventurer of slender means, that our commerce has triumphed in its activity over all competition." He would now state very shortly an outline of the facts which would be laid before the jury, and upon which they would have to determine the guilt or innocence of the prisoner at the bar. The prisoner, Patrick Maxwell Stewart Wallace, lived at 40, Windsor-terrace, City-road, and carried on his business at No. 18, Cooper's-row, Crutchedfriars. He was an importer of bristles and other Russian produce, and he likewise dealt in ale and porter. Michael Wallace lived in Tredegar-square, Mile-end, and carried on his business also at 18, Cooper's-row. He was a shipowner, and, amongst others, he had a share in a ship called the *Dryad*. He owned three-fourths of that vessel, a brig of 204 tons burden. The other one-fourth belonged to the firm of Howden and Co., and Michael had mortgaged his three-fourth share to his sister, Janet Wallace. On the 25th of July, 1839, the *Dryad* was chartered by Messrs. Zulueta and Co., a house which has a place of business in London and likewise an establishment at Liverpool. The ship, at the time of the charter, was lying in Liverpool, and, as the terms of the charter were material, he would state its substance. The whole stowage was chartered to Zulueta and Co. for a voyage to Santa Cruz, in the island of Cuba, for 300*l.*, of which 200*l.* was to be paid before the vessel sailed, and the remaining 100*l.* when the cargo was delivered. The entire stowage was thus hired by Zulueta and Co., and they alone had a right to load any goods on board her for that voyage. He would now proceed to state the insurances which were effected on this occasion. He had already told the jury that Howden and Co. were the owners of one-fourth of the *Dryad*, and they, by direction of Michael Wallace, effected an insurance on the ship (which by itself was perfectly legitimate) for 2,000*l.* This was done with the privity of Michael Wallace, and a sum of 1,375*l.*, being his share or proportion of the insurance, was afterwards paid to him in 1840, when the total loss was claimed. Another insurance had likewise been effected by Howden and Co., at the request of Michael, for 300*l.*, on the freight of the vessel, which also had been paid. In these two insurances there was nothing that could reasonably excite suspicion, but he now came to two insurances which most undoubtedly

were fraudulent. These were ordered by the prisoner Patrick Wallace to be effected on goods on board the *Dryad*, for a voyage from Liverpool to Santa Cruz, he having no goods on board, contemplating the shipment of no goods, and, as it seemed to him, only having in view the casting away the ship, and then making a false claim upon the underwriters. The first policy of the sort was for 715*l.*, which Patrick ordered to be effected in the name of Michael. This was effected with the Alliance Insurance Company, and bore date the 24th of August, 1839; and was declared to be on six cases of flannel, containing forty pieces each—on cloth and cotton goods, valued in the whole at 715*l.* There was a pretended bill of lading of these goods, which was signed by Edmund Loose, the Captain of the *Dryad*. Now, according to the rule laid down, it was indispensably necessary he (the Attorney-General) should make out, that Loose had been guilty of the offence charged against him in this indictment; and one material fact upon which he founded this charge was, that he (the captain) had signed bills of lading for goods which were never on board the ship.

Mr. C. Philips interposed.—His client stood charged with a substantive felony; and at this stage of the proceedings it was perhaps right he should take the opinion of the Court, whether any act or declaration done or made by Loose in the absence of the prisoner could be adduced in evidence against the prisoner.

The Attorney-General submitted, that this was part of the *res gestæ*. It would be impossible for him to establish the guilt of the Captain, except by showing what he did until the crime was consummated.

Lord Chief Justice Tindal.—You have a right to give in evidence such words as the law holds to be equivalent to facts.

The Attorney-General.—Here they had the Captain signing bills of lading for goods which never had been shipped, and for what purpose did he do so, except that, knowing insurances had been effected, he had the full intention of casting away the ship? This first bill of lading was in the name of Michael Stewart, and was dated the 20th of August, 1839. This policy was effected by a broker of the name of Stott, and early in the year 1840 Mr. Stott came to the Alliance Company and claimed for a total loss. He was paid 80 per cent. at first, and, there being a rumour that some of the goods had been saved, the Insurance Company required an undertaking, that if any were saved they should be accounted for for their benefit. On that occasion a document was given, which was very material for the consideration of the jury, for it professed to be signed by Michael, when in point of fact it was signed by Patrick Wallace, the prisoner at the bar. It was to this effect:—"I hereby agree, in case any goods shall be saved, to indemnify you for the amount they may be sold for, less all charges." Upon this a total loss, which was afterwards handed over to the prisoner, was paid. The next policy was likewise on goods, to the amount of 1,264*l.*, and was effected by Stott, under the order of Patrick Wallace, with the Maritime Insurance Company. It was effected in Stott's name, on the

7th of August, 1839, on beef, pork, butter, cotton prints, and other goods, no parts of which were ever shipped or loaded on board the *Dryad*, although the Captain had signed another false bill of lading in the name of the prisoner Patrick Wallace, by which he professed to have received those goods. On this policy, also, a total loss was claimed by Stott, and again an undertaking was required by the insurance-office. This undertaking, to the same effect as the other, was given on the 9th of October, 1840, by the prisoner at the bar, and upon it the claim was paid. He now came to certain insurances which had been effected with the Neptune Insurance Company, and the first of these was for 700*l.* on the body of the ship, ordered by Michael, through Messrs. Selden and Johnson, the brokers. This he must charge as a fraudulent insurance; because the former policy for 2,000*l.* was enough to cover the value of the ship; but upon this policy a total loss was claimed and paid to Michael Wallace. Another policy with the Neptune Company was ordered by Michael, and effected through the same brokers, for 700*l.*, upon the freight of the *Dryad*. On this policy also a total loss had been claimed and paid. There was a third policy with the Neptune Company for 687*l.*, through Messrs. Lendell and Hall, and it was on goods, which goods never were shipped, though, as before, a fraudulent and false bill of lading, in the name of Patrick and Michael Wallace jointly, had been signed by Loose, the Captain. The goods purported to be beef, pork, butter, earthenware, &c., and again a total loss was claimed, again an undertaking or indemnity was demanded, and again a total loss was paid. There was likewise another policy which had been effected with the Indemnity Company, on the order of Michael Wallace, for 600*l.* on the freight, and on this a total loss was claimed and paid on the 30th of January, 1840. Another policy still remained; Michael Wallace was down at Liverpool, superintending the outfit of the ship, and there he effected another policy upon the brig *Dryad* for 500*l.*, on which also a total loss was paid. Now, how stood these insurances? There were insurances for 2,666*l.* on goods which never were on board the *Dryad;* then there were policies on the ship and freight to the amount of 2,500*l.*, exclusive of those for 2,300*l.*, to which no suspicion could attach. Now, there might be a variety of opinions as to the value of the ship and freight, though he believed it would turn out that both had been greatly overvalued; but, with regard to the goods which never had been shipped, no variety of opinion could possibly exist. The vessel, he had already told the jury, was lying in Liverpool; that she had been chartered by Zulueta and Co., who loaded her with goods, which they insured at 3,000*l.*, and no goods were shipped except by Zulueta and Co. He should call their clerk, who had superintended the shipment, and he would tell the jury that no other goods whatever were put on board, and that at the time the vessel sailed she was not more than two-thirds full. He (the Attorney-General) would do more—He would give in evidence a declaration made by the Captain, as required by the sta-

tute 3 and 4 William 4th, that he had no other goods on board. He should further show, by documents from the Custom house, that no other goods but those of Zulueta and Co. were shipped. He should be able to prove that, instead of there being a large stock of provisions on board, as the bills of lading seemed to indicate, the vessel was actually deficient of the means of subsistence for the crew during the voyage. Now, what had been the intention of the Captain and those who acted with him? They had laid out large sums in premiums on policies effected on goods which had never been purchased or shipped, and their object was wilfully to cast away the ship, and then come upon the underwriters and get from them the payment of the sum of 4,000*l*. From the facts he was now about to state, the jury would see that such was in the contemplation of the Captain, and that he actually carried that scheme into effect. The vessel sailed from Liverpool, bound to Santa Cruz, on the 7th of September, 1839, and almost from the beginning of the voyage circumstances occurred which excited the suspicions of the crew. For example, the larboard pump was choked up. The Captain gave orders that two tackles should be affixed to the long-boat, whereby it was ready for service at any moment it might be required. The ship proceeded, and it would be found that something took place off the coast of Ireland, to which however he would not now particularly refer; it would be found that the ship did not pursue the track she ought to have pursued. She met with no stress of weather, and the Captain all the time had full command of his course. It would appear he ought to have steered by the south side of the island of St. Domingo, and so on to Santa Cruz—that such was the direct and usual course, but he thought fit to go to the north side of Hayti, or St. Domingo. At Anagada he made an attempt to run the vessel on a reef of rocks. That attempt, however, did not succeed, and he proceeded. He kept close in shore, creeping along until he came to a place called the Silver Keys, and there again he made a direct attempt to run the ship upon a reef. He was warned of what he was about, not only by those who were on board with him, but a signal gun was fired by the Captain of another ship, called the *Bencoolen;* a flag was hoisted to warn him of his danger; bnt still he would not divert from his course to run on the breakers and get on the reefs. This he did and the vessel struck. She was, however, taken in tow by a pilot-boat, and carried into a port on the 20th of October. There she was repaired, and on the 5th of November she again sailed for Santa Cruz. Again he got out of his course, for he ought to have made directly for Cape Cruz, and, having the wind and weather favourable, he could not have had the smallest difficulty in reaching the port of destination in safety; but instead of that, he continued to creep along the coast, looking for an opportunity to cast away the vessel; there was now no time to be lost in the accomplishment of his object, and accordingly, when about fifteen miles from Cape Cruz, he again ran the vessel on the breakers. She might have been got off, but the Captain would not allow anything to

be done, and then the ship and the greater part of her cargo were lost. The Captain and his men got to Jamaica, whence the men came home to England; but the Captain had never returned, for he was no longer in this world to answer for his offence. He should bring witnesses to prove the facts he had stated, and he thought that, from their testimony, the jury could entertain no doubt of the prisoners' guilt.

The Attorney-General proceeded to call his witnesses, who proved that the *Dryad* was worth about 2,000*l.*, and the facts of the different insurances stated in his address having been effected.

Mr. James Stott, a ship broker, deposed that he had been employed by the prisoner to effect some of the insurances and to claim the amount when the news of the vessel's loss arrived, which he received as stated by the Attorney-General; and that upon one occasion the following occurred: "I asked the particulars of the letter, when he replied, that there were some pans saved, but no beef or pork; he then laughed, and I asked him what he was laughing at; he then said, 'Loose has done the job very well.' I asked him what he meant? He again laughed, and said, 'I was not half awake.'" About a month after that conversation took place he again asked the prisoner whether he had received any further intelligence from Captain Loose, when he said that he believed he was dead, and that he died on board the *Premier*, on his voyage home. I then asked him if he had received his papers, to which he replied that the captain's trunks had been opened, but no papers had been found. I then asked him whether the death of Loose had been confirmed? He said he believed he was not dead; but that he had been in London about three weeks. I said, if that was the case, it was a pity he did not go to the Maritime Insurance Office and get a settlement, as the captain's word would be sufficient; he replied that he wished they might get Captain Loose there, but he was quite sure he would not go. I afterwards saw the prisoner in an office which he occupied in Crosby-hall Chambers, and asked him whether he had seen anything of Loose; he said he wished he was in London, for if he was he would give him a ship directly, for he was a very clever fellow and deserved all he could get, for he had done the job of the *Dryad* very clean. I said he must have been well paid if he had done so. The prisoner laughed and said, "A thousand or two, that's all." I recollect the prisoner being taken into custody on the 27th of November. I saw him at the Mansion-house and asked him what was the meaning of it, and he said it was all about the *Dryad*. I said, "Then my suspicions all along have been correct." He said it was a bad job, but I need not fear, because I was only the agent, but he was afraid that he should be transported. I said, "Why do you fear that; you are not the master of the ship?" He said, "Oh the goods were never on board; there are papers in the house that will prove me guilty."

Peter Kelly, a clerk in the employ of Zulueta and Co., superintending the lading of the *Dryad*, proved that there were no other goods shipped than those belonging to that firm.

Captain John Theake.—In 1839

I was captain of a vessel called the *Bencoolen*. I was bound from Cape Haytien to Laguayra. On the 23rd of October the *Bencoolen* was off the harbour at Cape Haytien. Her burden was 410 tons. Whilst off the harbour I was boarded by a pilot. There is a reef of rocks about three miles from the place where the pilot boarded us. I observed a brig, which afterwards turned out to be the *Dryad*, to the eastward of me, and which appeared to be going on the reefs. The reefs are laid down upon the charts, and are well known to mariners. There is a bank called the Silver Bank. The reefs towards which the vessel was going are called the reefs of the harbour of Cape Haytien. They are on the outside of the harbour, and extend a distance of about fifteen miles to the eastward. We waited to see whether the vessel would change her course, but finding that she did not do so, the pilot made a remark. I fired a gun to warn them of their danger; but they took no notice of it. I ordered the pilot to go away with his boat immediately and go on board the brig. He pulled to and boarded her. Until the pilot boarded her the brig continued going in the direction of the reefs. There was a light westerly wind at the time. She could have avoided the reefs. When the pilot went on board she altered her course, and went into the harbour.

Ronald Maxwell, the mate of the *Dryad*, examined by the Attorney-General.—We sailed from Liverpool on the 7th of September, and passed through the North Channel. That course was not unusual, according to the wind. There is generally a track laid down on the charts, as a guide. We pursued that track for some distance, but at longitude 59 west we steered to the northward. We first made land at Virgin Guarda. I told the captain that I had seen land. He went on deck, where he remained a short time, but made no remarks: shortly after I saw breakers ahead: I went into the cabin, and saw the captain in bed; that was between six and seven o'clock in the morning. At that time Benjamin Schultz was at the helm. The captain followed me on deck. I then told Schultz to put the helm down, and let the ship go round. The captain then ran to the wheel, and immediately put it up again, which would have the effect of running the ship directly upon the breakers. Hunter and Simpson complained to the captain, and said if he did not put the ship round they would do it themselves, as they were not going to be lost. The captain then left the wheel and Schultz went to it. He put the helm down and the ship came round. The ship just cleared the breakers and that was all. A few minutes more and she would have been aground. This occurred on the 17th of October. On the 19th we were at the Silver Bank, to the north of St. Domingo. The course I have usually gone is south of St. Domingo, by Antigua and Guadaloupe. I observed a rock between six and seven o'clock in the morning. I called the captain and pointed out the rock to him. It was easy to be seen, but he said he could not see it. The water ahead was discoloured, which indicated a shoal in those seas. One of the crew came forward and called out, "Rocks under the forefoot." I ran forward, and the captain likewise. I saw the rock. The captain said, "Oh, we are

lost, we are lost—we are all lost." Immediately afterwards the ship struck, and remained fast for about twenty minutes. The ship then dragged off. After going a short distance she again struck. The captain was in the cabin during the time, putting on a life-preserver. From the second rock we dragged off; the rudder was disabled. We then trimmed the sails to keep her before the wind. I applied to the captain for some spars to make a temporary rudder, which he refused. We had no spare spars on board. I said we were in a nice predicament, at sea without a rudder, and that it would have been better to have let her gone on shore two or three days previous. The carpenter made a temporary rudder. On the 20th we made St. Domingo. On the afternoon of the 22nd of October we were close upon a reef, off the harbour of Cape Haytien. The jury rudder unshipped. The captain asked me what was to be done, and I told him there was no danger, and that we had better run into harbour. The captain said he would not, as they had no pilot on board, and if anything happened to the vessel, he would lose the insurance. I then told him as that was the case it would be better to go out to sea, and replace the jury-rudder; and that in the morning they might obtain a pilot and get safe into harbour. The captain went to bed about eight o'clock, and shortly after I saw a sail to the larboard quarter. I told the captain of it, and said that if we ran down to her she might render us some assistance. He refused to do so, saying that he would have nothing to do with her. He then went to bed and desired me to call him at twelve o'clock. At daybreak we were south-east of the entrance to the harbour. We then saw a sail a little to the larboard. We were steering towards the reefs. There was no signal made by the *Dryad*, but the other vessel, which I afterwards learned to be the *Bencoolen*, fired a gun, which was a signal to warn us of our danger. The *Bencoolen* at that time had the union jack hoisted, as a signal for a pilot. I suggested that we should also put out a signal for a pilot, but the captain refused, saying, that if they (the pilots) were too lazy to come without a signal, they might remain where they were. I also told the captain that a signal-gun had been fired, but he said he did not care for that. A pilot came on board about eleven o'clock; up to that time the vessel was going towards the reefs. I showed the pilot the jury-rudder, and asked him whether he would take charge of the ship with that; he said he would, if he could get the crew to work the ship. When the pilot was coming towards us he hoisted signals, but the captain, who saw them, took no notice of him. When the pilot reached us we were about half a mile from the breakers. The pilot then took us into port; that was on the 23rd of October. I left the *Dryad* on the 2nd of November, and gave Captain Loose a reason for so doing.

Benjamin Schultz, carpenter of the *Dryad*, gave evidence to the same effect, to the time of Maxwell leaving the ship, and proceeded—The *Dryad* left Cape Haytien on the 5th of November, and on the 10th struck on the reef at Cape Cruz, where she was wrecked. About ten minutes before, we struck on a small lump of

rock. We saw the reef all the day before, but the ship's course was not altered to avoid it. The captain was on deck all the night before the ship struck; but I never knew him to do so on any previous occasion. A man of the name of Simpson was at the helm, and the captain told him to come away or he would be hurt. The crew came on deck and spoke to the captain. I sounded one of the pumps, but the ship had made no water. No orders were given to get the ship off the reefs; it could easily have been done if the captain thought proper. The sails were all kept set. If an anchor had been put down and the sails taken in, the ship could easily have been got off. The water was very clear upon the rocks, and I saw a cigar-box with a bolt attached to it at the bottom. I pulled it up, and on opening the box found it to contain several letters and the leaves of a log-book; the box was lying just under the captain's cabin window. Captain Loose had then gone on shore, and on his return the next day had some conversation with me and the crew. He then took the long-boat, and we went to Falmouth, Jamaica, where the protest was noted. We kept the letters we found in the cigar-box, and some time afterwards, when Simpson showed them to the captain, he snapped them out of his hand and gave him four pound notes to get them. That was at Falmouth.

Mr. C. Phillips then proceeded to address the jury on behalf of the prisoner. The learned gentleman observed, that he could not but feel the disadvantages which surrounded him when he commenced that duty. In the first place, the unfortunate young man at the bar had opposed to him not only some of the most wealthy insurance-offices in London, who had left no stone unturned and no means unemployed by which to insure a conviction. The question for their consideration would resolve itself, as it seemed to him, into three points, and unless upon each and all of these points they were satisfied by the evidence, it was impossible that the prisoner could be convicted. The jury must first be clearly of opinion (and unless they came to that opinion, the whole superstructure of the case must fall to the ground) that Loose, the captain of the *Dryad*, voluntarily and wilfully cast that ship away. The second point for their consideration, after they had got over this threshold (which appeared to him to present a formidable stumbling-block), would be whether, supposing they thought the captain had wilfully cast away the ship, they had sufficient evidence to bring their minds to the conclusion that the goods upon which the insurance had been effected were never on board the *Dryad*? The third point would be, whether, even if they believed the evidence adduced upon the first two points, the jury had evidence laid before them sufficient to convince them beyond all doubt that the prisoner at the bar, knowing that there were no goods on board, had effected insurances upon them and had incited, counselled, and advised the captain to cast away the ship, with a view to defraud the underwriters or part owners? The learned counsel proceeded to point out some improbabilities in the alleged conduct of Captain Loose, and the bad conduct of the mate and crew, the period which elapsed before they came forward with their statements, and the

possibility that the goods might have been taken on board without the knowledge of the parties in charge.

The Lord Chief Justice then summed up the case to the jury, and having recapitulated the whole of the evidence, said that upon it they must be satisfied that the captain, with the intention of defrauding the underwriters, wilfully cast away the ship; secondly, they must be satisfied that the goods insured never had been shipped; and lastly, they must be satisfied that a concert and scheme existed in London in which the prisoner was a party concerned, and that by his aid that wicked scheme was carried into effect. If, on the whole of the evidence, they felt any reasonable ground for doubt that neither of these points had been established, then they would acquit the prisoner. If, however, they were satisfied upon those three points, then it would be their duty, however painful, to convict the prisoner. The question was one of mere fact, which the jury must take into their own hands.

The jury expressed a wish to retire, and on their return into court at half-past eight o'clock, they delivered a verdict of Guilty.

On the following day the trial of Michael Shaw Stewart Wallace was proceeded with. The evidence was the same as that produced at the trial of his brother, and the jury, in like manner, found the prisoner Guilty.

Both prisoners were then placed at the bar, and the Lord Chief Justice proceeded to pass sentence. He said they had been found guilty after fair and impartial trials before intelligent juries, of the offence of having feloniously incited one Edward Loose, the captain of the ship *Dryad*, wilfully to cast away that ship, for the purpose of defrauding the underwriters. He felt bound to say, that he was perfectly satisfied with the verdict which the two juries had found in the respective cases of the two prisoners. It was an offence of very grave importance, tending to check the spirit of mercantile adventure and the commerce of this country, because it aimed at defrauding those persons upon whose responsibility much of that adventure and commerce depended. It was observed, that the loss in this case had fallen upon the underwriters, and the checking of their business might produce serious results. The effect of a policy of insurance was to cast upon a company a loss which, if it fell upon one individual only, might be ruinous in its effects; and it could not but be observed, that the numerous insurance companies of this city could no longer exist unless their proceedings were protected by the law, and offences directed against their fair and honest gains were punished with the just severity of the law. In this case there were circumstances of great aggravation, because the result of the foul crime which had been committed might have been not only the loss of property, but of life. The penalty applied by the law to this offence was no longer capital. He rejoiced at that, but at the same time he felt that it was his duty to visit the offence of the prisoners with a severe punishment. The sentence of the Court was, that the prisoners should be transported beyond the seas for the respective terms of their natural lives.

The point raised by Mr. Jervis having been overruled, the sentence was carried into effect.

The Wallaces, while awaiting their transference to the transport, made very important communications to the prison authorities. A part of the confession of Patrick and that of Michael are added; but even of what is given, the authorities deemed it necessary to suppress the names; but it is understood that Alderman Pirie and others received from the criminals extensive specific information, which will enable the insurance offices to watch extensive confederacies for fraud of the same nature.

"*Statement made to Mr. John Pirie, Alderman, respecting my knowledge of other Vessels which were and are about to be cast away.*

"One day last year, either in the latter end of the month of May or the beginning of June, —— came into my counting-house, and after some conversation, said to me, 'Wallace, why don't you ship some ale by the —— to St. Domingo?' I said it would not pay at that market. He said it would pay if I insured it, as he did not think it would ever arrive at that pretended destination. I declined at that time having anything to do with the business. About six weeks or a couple of months afterwards, he and I were looking over the book of shipping at Lloyd's Captains'-room, 80, Bishopsgate-street, when the loss of the —— was written down, and he said to me, 'Are you not vexed now for not doing what I desired you?' and then he told me that he heard the scheme concocted previously to the sailing of the vessel from London, and that —— went in her to see the job properly performed.

"With respect to the other vessel, the ——, she was a large St. John's-built vessel, which was loaded, I think, in the St. Katharine's Dock, my informant being at that time clerk to ——. The vessel sailed from London for New South Wales, about the month of August or September last year; so that if she has been cast away the accounts will arrive shortly. About the time of the vessel's sailing, —— told me he was sure she was intended to be wilfully wrecked, as the owners had mortgaged her to a ship-builder, and had insured her in different offices for three times her value. He offered to go halves with me in 1000*l.* on goods by that vessel, but I declined the proposition, and it is my firm and positive belief that he has insurances done on that vessel without interest. A young man of the name of ——, who lives with his sister, and who was a prisoner in the Compter along with Stott and me, when we were taken up on the *Dryad* charge, corroborated ——'s information respecting the vessel, he having received the information from another party.

"The above is the exact truth, to the best of my knowledge and recollection, as I shall answer to God.

"P. M. WALLACE.

"Newgate, March 23."

"*Statement by Michael Shaw Stewart Wallace to Mr. John Pirie, Alderman, setting forth the part he took in the casting away of the Dryad for the purpose of defrauding the Underwriters.*

"I purchased three-fourths of the *Dryad* about December, 1837, for 1,200*l.*, 1,060*l.* of which was

paid in cash, and the remainder by a bill. I went as master of the *Dryad* to Rio Janeiro, and returned in her to London. Loose was the master at that time. Next voyage Loose went as master, with my instructions to proceed to Rio, and take the berth for London. The vessel was consigned to a person at Rio, who had similar instructions from me, but he deviated from those instructions, and sent the vessel to the Cape de Verd Islands for salt, and drew upon me for 315*l.* When I received this intelligence, my friends advised me to go out to Rio and look after my property. I went out to Rio in the bark *Blair*, from Liverpool, and upon my arrival found the vessel a complete wreck, and was angry with the master for his conduct, but he threw the blame upon others.

"I was on board the *Dryad*, dining with Loose, the master, one day at Rio. After dinner he asked me to go forward, and he would show me that I had made a blind bargain, which he did, and at the same time he said, that if he had known that the vessel was unsound, she should never have seen the Cape de Verd Islands. I said to him that I did not believe that he had the spirit to do such a thing, to which he replied that he wished I would give him the chance. Some other conversation relating to the manner in which he would manage such a business took place at that time, and I began to feel much interested indeed in his way of treating the subject.

"When the *Dryad* had discharged the cargo of salt she took the berth for Liverpool, and I took my passage on board. During the passage Loose and I agreed that if he would cast away the vessel I would give him 200*l.* in cash, and advance him sufficient to purchase a quarter of a new vessel, which he was to have the command of on his return. This was regularly agreed to between us, upon the most perfect understanding.

"On my arrival at Liverpool I proceeded to London, and chartered the *Dryad* out and home. I informed my brother Patrick at this period that Loose and myself had agreed to destroy the vessel, on purpose to defraud the underwriters. He consented to become a party in the affair, and filled up bills of lading for goods to the amount of 715*l.*, done in the Alliance Insurance-office, and 698*l.* done in the Neptune.

"The bills of lading signed by Loose were procured in the following manner:—I bought two sets at Liverpool, and Loose signed them in blank. I then brought them to my brother Patrick. Before the *Dryad* sailed from Liverpool I proceeded to insure as follows:—2,000*l.* on the ship with Messrs. Howden and Ainsley, and 300*l.* on the freight with the same; 700*l.* with Seldon and Johnson on the ship and outfit, and 700*l.* on the freight out and home; with Lyndall and Hall 600*l.* on the chartered freight; and with Behr, Behren, and Co., 500*l.* on the ship at Liverpool. Loose also, to my knowledge, effected 150*l.* at Liverpool on his effects, and 100*l.* in London.

"The *Dryad* sailed from Liverpool September 7th, and I had no letter from Loose till the 25th of December, when I received the protest from Falmouth, in Jamaica." (Here Michael Wallace enters into details implicating other parties in the transactions with regard to the destruction of the

Dryad, which details we of course altogether exclude, and which may have been fabricated, with a view to diminish the atrociousness of the plot by dragging others into participation). "Nothing of consequence occurred till July, 1840. One forenoon I came into my brother's office, when he showed me a large bundle of papers which Mr. Frost, Loose's executor, had left for me. We examined them, and found that all the cargo had been saved but the salt, and had been sold by the Vice-Consul. It appeared to us that the net proceeds from the cargo saved amounted to about 1,500*l.*, which I know nothing about. The wreck of the vessel, with all the stores and cables, were sold, and the bill that was found in Loose's possession appeared to us to be the salvage of the vessel. The bill was drawn on a house in Liverpool by a foreign name, which I forget, and was endorsed by the Vice-Consul, and handed over to Loose by him.

"The papers were taken by me to my house in Tredegar-square, and were destroyed on the night my brother was taken into custody. The papers set forth that Loose had been accused by his crew before the Spanish authorities for casting away the vessel, but was released from custody. This is all that I can think of relative to this most unfortunate affair, and is all truth, as I shall answer God.

"MICHAEL S. S. WALLACE.

"Newgate, March 23, 1841."

"Addition to my former statement made to Mr. John Pirie, Alderman, respecting the money I defrauded the underwriters of:—

From British Indemnity Company	£414
From Howden and Ainsley	1,590
From Seldon and Johnson	1,284
From Liverpool Ocean Company	458
Goods, Lyndall and Hall	667
Cash from my brother, being a balance from Alliance Company	215
	£4,628

"By referring to my books and other accounts, it will be seen how this balance has been expended.

"About May last my brother told me that —— told him that —— and —— had made it up to cast away the *Falcon*, and that —— was going out to see it was properly managed. He also told me, about the latter end of September, that —— wanted him to make some insurances on the ship ——, as he knew that she was going to be cast away. At the same time he said that a vessel called the —— was lost, and the insurance companies were not willing to settle the loss upon her.

"I now consider it proper that I set forth a part of my life. Up to the latter end of the year 1836 I was a steady hard-working fellow. At that time I commanded the *Delta*, and unfortunately went into Liverpool with a cargo from Brazil, and was there introduced into the family of Mr. ——, whose foundation is well known to have been buying old ships and casting them away. I was encouraged by him and Mrs. —— to seek their daughter, and I must confess that ambition tempted me to forget my old playmate and my present unfortunate wife, so far, that I did so, and I believe that I would have done anything to have gained Miss ——'s affections. My mother was sorely grieved, and told me that our friend Mr. —— warned me

that —— was a bad man. All this I did not heed, but would go forward, led by Satan. —— encouraged me to get money, and advised me, saying, 'Get it, never mind how, so as you have it.' I was too willing to follow this bad advice, and have not only ruined myself, but my beloved wife also. This I know, if I had never forgotten her I should not have been in this situation to-day. Although I cannot give any proof respecting the person at Liverpool to whom I have alluded and his black deeds, watch him narrowly, and I think you will find him out. His ships —— and —— will be cast away, should I not warn him by my fate. He has often informed me that he would do so.

"MICHAEL S. S. WALLACE.

"Newgate, March 28, 1841."

"I forgot to state, that at the time I went into Liverpool I was master of the *Delta*, and had about 200*l.* of my own. —— thought my father had money, and therefore encouraged me, I believe.

"M. S. S. W.

"W. W. COPE.

"March 29, 1841."

Thursday, Oct. 28.

THE MURDER IN EASTCHEAP.

Robert Blakesley was placed at the bar and indicted for the murder of James Burdon, on the 21st of September, by stabbing him on the left side of his belly.

Mr. Payne stated the case to the jury. The death of the unfortunate individual with whose murder the prisoner at the bar stood charged, took place on the evening of Tuesday, the 21st of September; and he should prove in evidence what had been the conduct of the prisoner at different periods in the course of that day. About seven o'clock in the morning he went, in company with a city policeman, to Mr. Burdon's house, for the purpose of demanding his wife, and was told by Burdon that "he had better go about his business," and that "he knew nothing of him." He should next prove that, at half-past seven o'clock, the prisoner went to a hairdresser's shop, and complained there of the way in which he had been treated by Mr. Burdon. At half-past nine o'clock he was in the company of another policeman, to whom he also made complaints of Mr. Burdon's conduct towards him. He should afterwards prove, that the prisoner went to a cutler's shop for the purpose of purchasing a knife, and that he gave certain directions respecting the sharpening of it. The prisoner was subsequently in the company of a policeman up to eight o'clock in the evening, but from that time he had no further trace of him until ten o'clock, when a private watchman saw him sitting on a hamper near the house of the deceased. Soon after this the prisoner entered the house, and then it would appear from the evidence of Mrs. Burdon, whom he (Mr. Payne) would call, that he called out, "My wife!" and immediately stabbed his wife and Mr. Burdon, who was sitting dozing in a chair at the time. A doctor was sent for, but it appeared that Mr. Burdon almost immediately died. The prisoner made his escape, but was taken some time afterwards in Hertfordshire, and then made a statement to the officer, which would be repeated in court.

Edward Bristow examined.—Witness is a policeman belonging

to the city force; knows the prisoner at the bar. Saw him on the morning of Tuesday, the 21st of September. Had seen him before four or five times. Talked with him at three o'clock in the morning of the 21st of September, and was with him again at six o'clock in the morning. The prisoner said his wife was detained at the King's Head, Eastcheap, and asked witness whether he could not demand to see her. Witness answered he thought the prisoner could, and referred the prisoner to Sergeant Bradley. Witness went with the prisoner at seven o'clock to the King's Head, and saw Mr. Burdon behind the bar. The prisoner said, "Now, James, I have come to demand my wife." Mr. Burdon replied, "You had better go about your business," and walked into the parlour, and then turned to witness and said, "I know nothing of him." Witness observed that Blakesley intended to go before the Lord Mayor to ask his advice, and that he (witness) intended to accompany him as a witness. Mr. Burdon said again, "I know nothing of him." Witness asked, "Am I to take that as an answer, as Blakesley knows she is either here, or you know where she is?" and Mr. Burdon repeated the same words. They then went away.

Cross-examined by Mr. C. Phillips.—Witness saw the prisoner on the night of the 20th of September, about twelve o'clock. Saw him again on the morning of the 21st, at three o'clock, and then referred him to Sergeant Bradley. From six to seven o'clock witness was with the prisoner. Thinks he saw the prisoner altogether about five or six times, so that he must have been up the whole night. He showed witness a letter which he had received from his wife.

William Braddon.—Is a policeman belonging to the city force; knows the prisoner at the bar. At half-past seven o'clock on Tuesday, the 21st of September, saw the prisoner, who told him he had been to demand his wife, and that Mr. Burdon was going to turn him out of the house. Witness was passing a butcher's shop at the time, and the prisoner seeing a knife there, said, "I think if I had that in my hand I should make use of it." Witness replied, "Nonsense," and the prisoner rejoined, "By G—d, I think I should." The prisoner said, he had not been to bed; he and witness were together about ten minutes or a quarter of an hour. Witness saw him again about six in the evening, and prisoner asked if he was going to "stand" a pint of porter. Witness consented, and stayed with him till eight o'clock. Prisoner then said he was going to see his old woman by and by, and that witness should see him in the morning about half-past seven o'clock, when he would make all right respecting the beer.

By the Court. — I conversed with the prisoner about different things.

Did he appear to converse rationally?—There appeared to be nothing the matter with him; he seemed in good spirits.

John Charles Davis.—Is a cutler, living in Aldgate High-street. About one o'clock, in the middle of the day, on the 21st of September, some person came into his father's shop to purchase a knife. He believed the prisoner to be the same person, but not having seen him since that time, could not positively swear to him. The knife

inquired for was similar to those used by butchers.

Mrs. Eliza Burdon was next examined, and gave her evidence in so low a tone as to be almost inaudible. She was accommodated with a chair during her examination. She said she was the widow of the deceased James Burdon, who was thirty-eight years of age, and landlord of the King's Head, Eastcheap.

She was then asked by the learned counsel if she knew the prisoner at the bar? when she exclaimed, in a loud and agitated voice, at the same time pointing at the prisoner, "Yes, I see him now, the murderer!" These words, and the manner in which they were uttered, greatly affected the prisoner, who immediately sank on a chair, covered his face with a handkerchief, and sobbed.

Mrs. Burdon then proceeded.—Witness's sister is the prisoner's wife. Witness's husband was sitting, on the night of the 21st of September, in the upper end of the bar, with his back against the window. He was asleep. There was a table near him. Witness heard a footstep coming; looked up, and saw Blakesley. He sprang to my sister and stabbed her in the right side, and said, "My wife! my wife!" Witness did not see what he had in his hand. He then stabbed my husband while asleep and in his chair. At this time witness observed that the prisoner had a knife in his hand. He then attempted to stab witness, but her sister prevented him. He next rushed out of the bar with the knife streaming with blood in his hand. Witness's sister and husband followed him as far as the bar door, when witness's husband rolled against the dresser, and witness heard him say, "What is the matter?" The prisoner turned round with the knife in his hand, and looked at them. He came back half-way across the passage. He threw the knife down, and went out of the house. When he had the door in his hand he looked at them again. Witness had not seen him again until the present moment. Witness's husband fell down, and was afterwards attended by Mr. Smith, a surgeon. While sleeping, witness's husband had a silk pocket-handkerchief thrown over his face.

Cross-examined by Mr. Bodkin.—There is a long counter in the bar of the King's Head, and the room in which witness's husband was is on the inner side of the counter. A person coming into that room would have to walk down the passage to the bottom of the counter, and then enter a door; the counter was of the ordinary height, so that any one might see over it. Witness heard a footstep, but did not look across the counter to see who was coming, and the first time she saw the prisoner was when he was inside the counter. Witness's sister was near her, and the table was between witness and her husband. Witness had looked at her husband after the clock had struck ten, which was about five minutes before the prisoner came in; at that time her husband was awake. After the prisoner came in, not half a minute elapsed before he stabbed witness's sister. From the time of his coming in until this matter occurred witness had looked at the prisoner and her sister, and not at her husband. Could say that her husband had not risen from his seat. Witness thought the prisoner intended to seize and run

away with her sister. She had no idea he was going to stab her. The prisoner threw the knife away on the outer side of the counter, and her sister went round and picked it up, and threw it into the inside. Had never mentioned this circumstance before, because she had never been asked respecting it; she had, however, been told to give an account of all that passed. Witness did not see the prisoner make any attempt to inflict a wound on himself; her sister was between him and witness at one period of the transaction; could not say at that time whether the prisoner made any attempt to stab himself.

Sergeant Bradley, of the city police, stated, that on the evening in question he was directed to go to the King's Head. On reaching the house he found the deceased in a dying state, and on searching the place found a knife lying in the bar, near the fender. The knife had much blood upon it.

The knife was here produced, and the witness stated, there was much more blood upon it when he found it than appeared at present.

The blade of the instrument was between five and six inches in length, with a common wooden handle, and was similar to those commonly used by butchers.

Mr. Davis was then recalled, and stated, that the knife produced was the one he sold on the day in question.

Lord Abinger.—To a person whom you believe to be the prisoner?

Witness.—Yes.

Lord Abinger.—About what time in the day was that?

Witness.—About the middle of the day; one o'clock.

A juror wished to know whether the knife was now in the same state as when it was sold?

The witness replied that it was, but it was not in the state they were generally sold in.

Lord Abinger.—Why not?

Witness.—It is sharpened at the back.

Lord Abinger.—Why was it so sharpened?

Witness.—At the request of the purchaser.

Lord Abinger.—Are you quite sure it is the same knife?

Witness.—I am quite certain.

Robert Dunn, one of the Hertfordshire police, stated, that he apprehended the prisoner at Hitchin on the 28th of September. Witness was on duty with another constable, of the name of Pillgate, and on passing through the market-place they observed the prisoner loitering about; they watched him for some time, and at length witness went up to him, and said, "It is a fine night." The prisoner immediately replied, "I am almost mad." Witness then asked him whether he could do anything for him, when he said, "You must take me into custody." Witness inquired what for? The prisoner then said, "I suppose you have heard of the affair in London?" he said, "Yes; you mean stabbing the landlord and his wife?" The prisoner's reply was, "Yes; the landlord and my wife." Witness then took him into custody, and told him he did not wish to ask him any questions upon the subject. He was then locked up in the station-house, and, after he had been there some time, he started up in great agitation and exclaimed, "Oh! that scream—that scream, I think I hear it now." When he became more calm, he said, that he did not intend

to kill Burdon, but that he intended to kill his wife, and afterwards kill himself, and that when he struck the second blow at his wife the deceased came between them and received it. Witness then told him, that he was not an ignorant man, and must be well aware of what he was saying, and that whatever he said it would be his (witness's) duty to repeat in another place, and advised him not to say anything more. Had previously cautioned him with respect to anything he might say.

Mr. Charles Phillips addressed the jury for the prisoner, and attempted to show, that he was, if not of very weak mind, at least very deficient in judgment, and called witnesses to prove acts of folly and indiscretion, arguing that being excited by the alleged detention of his wife, he was of insufficient strength of mind to restrain his passions, and therefore was, to a certain degree, irresponsible, and called the prisoner's father and his late employer to prove insanity; their testimony, however, amounted only to show that the prisoner has contemplated some foolish speculations, and has at times conducted himself in an obstinate and wilful manner.

Lord Abinger summed up. He did not think there could remain a doubt on the mind of any one who had heard the evidence that the prisoner's was the hand which had committed the fatal act, and that under circumstances from which premeditation might be fairly inferred. The only point for the jury to consider was, whether the prisoner was in his right mind at the time of committing the act. The jury must be careful to distinguish between insanity and the temporary excitement which strong feelings of passion might induce, but which the law did not allow to excuse a man for a criminal act. Evidence had been laid before them to raise an impression that he was from his infancy, of a feeble mind, subject to aberration, which appeared hard to be accounted for except on the principle of innate disease. It was argued that provocation, operating on a mind naturally weak, would produce insanity. In cases of this kind it hardly ever occurred that something had not happened, either immediately or remotely, to raise passion or move to anger, so that if the influence of temporary insanity were admitted, there were very few cases of the most deliberate murder in which the party accused would not escape. When a party committed murder from revenge, it was very easy to say that passion was generated by strong provocation, and that during the time it prevailed it disturbed the reason. The jury would see that it would be most dangerous to lay down the doctrine, that a man under the influence of a strong passion should not be held accountable, though at other times he was not insane. They would, therefore, consider whether or not the evidence satisfied their minds that this man really was, from his infancy, of unsound mind, for if he habitually acted under a delusion, so as to be incapable of rational conduct, or of knowing what he was about, then he must be taken to be insane.

The jury found the prisoner guilty, and he was sentenced to be hanged, which was carried into execution on the 15th November.

ASSIZES.

OXFORD, *March* 23.

TRIAL AND CONVICTION OF MISTERS, FOR THE ATTEMPTED MURDER OF MR. MACKRETH.

Josiah Mister was indicted, before Mr. Baron Gurney, for cutting and wounding William Miller Mackreth, at Ludlow, on the 20th day of August last, with intent to murder him. There were four other counts in the indictment, charging the attempt to be to maim, disfigure, disable, or do some grievous bodily harm to the said William Miller Mackreth.

Mr. Serjeant Ludlow, Mr. Godson, and Mr. Neale, conducted the case for the prosecution; and the prisoner was defended by Mr. F. V. Lee.

Mr. Serjeant Ludlow stated the case to the jury. The offence charged against the prisoner was committed on the 20th of August, at the Angel inn, in the town of Ludlow. On that morning, soon after four o'clock, the prosecutor was awakened out of his sleep, and found himself severely wounded. There would be no doubt, therefore, that the prosecutor had been feloniously assaulted and wounded by some person, and to bring the crime home to the prisoner, it would be necessary for him to carry them back to some transactions which had taken place before that at Ludlow. It seemed that the prisoner at the bar was at Shrewsbury on the 12th August, having ascertained that a person of the name of Ludlow, who was a cattle-dealer at Birmingham, would be at Shrewsbury fair. He not only ascertained that, but he also found out that Mr. Ludlow put up at an inn called the Unicorn in that town. He further ascertained the bed-room in which Mr. Ludlow usually slept, but it happened by an accidental circumstance, that the inn being full at the time, Mr. Ludlow slept in a double-bedded room. A person of the name of Jobson was also at Shrewsbury in the company of Mr. Ludlow, and the prisoner having quartered himself pretty much on Mr. Ludlow, had an opportunity of hearing a meeting appointed between Mr. Ludlow and Mr. Jobson at Ludlow-fair. Without going through the details of what would appear in evidence, he should show that, on the 19th of August, he was in Ludlow, and that he went down to the bridge to inquire at what time the Red Rover coach came in from Birmingham. When the Red Rover did arrive, the prisoner, who was waiting about, instantly darted off and followed the coach. Mr. Ludlow was inside, and on getting out he was instantly joined by the prisoner, who followed him into the commercial room at the Angel, and that so closely, that the people of the inn thought they were companions, and they had been together, Mr. Ludlow remarking, "You are the young man I saw at Shrewsbury." Mr. Mackreth, the prosecutor, was then staying at the Angel, travelling for the firm of Christopher, George, and Co., of Bristol, and was in the commercial room at the time. He went out in the course of the evening, and did not return till ten o'clock. Mr. Ludlow had gone into another room, and was absent some time. The prisoner went up stairs, lighted by the chambermaid, to his room in the inn, which was designated by the number 20.

Now, it was a curious circumstance, that No. 17 was the bedroom which for three or four years had been usually occupied by Mr. Ludlow. On the night in question, however, that bedroom was occupied by Mr. Mackreth. The prisoner was accompanied by the chambermaid, who on leaving him shut the door. No. 17 was a room on the top of the stairs, with a door on the right hand of a person going up, and there was a passage leading from that room to the bedroom occupied by the prisoner, No. 20. About half an hour after, the chambermaid conducted Mr. Mackreth to his bedroom, and he locked the door. There was a circumstance which would appear in evidence to which they would give such effect as they thought fit and no more. When the chambermaid conducted the prosecutor to his bedroom she noticed that the door of the prisoner's bedroom was not quite closed. He mentioned it for this reason, that it was quite clear that the person, whoever it was who committed this act, was at the time of Mr. Mackreth's going into his bedroom and locking his door concealed under the bed. No force was employed to break open the door, and no entry was made by the window, and it was impossible therefore for a person to have been in the room unless he had concealed himself under the bed. On a subsequent examination also of the floor of the room there were clear and palpable marks under the bed of the figure of a person in the dust. This was the introductory part of the case to that which happened on the morning of the 20th. On that morning, about four o'clock, Mr. Mackreth was suddenly awakened, and the situation in which he then found himself was dreadful to think of. His neck was cut through, and the throat was fallen in; he had also a severe gash across the mouth, and some further injuries. As was to be expected, there was a great effusion of blood. The prosecutor made an exclamation, and jumped out of bed on the right side, and in doing so was pulled back by some one on the left, his shirt being torn in the struggle. The person, therefore, whoever it was, was on the left-hand side of the bed, and they would hear from the medical gentlemen who would be examined, that the wounds were inflicted by cuts drawn from the right-hand towards the left. The prosecutor, notwithstanding the awful situation in which he was, and although he shortly became unable to speak, never for an instant lost his presence of mind. The prosecutor did not pretend to say, that he had any recognition of the person who committed the act, and the jury would therefore say whether it was the prisoner or not, from the circumstances of the case. The prosecutor, having found himself in the situation which he had described, on being pulled back, made a rush to the window, and was unable to pull it up, but he dashed his hand through the glass, and called out "fire." He did the same thing a second time, for the purpose of making himself more distinctly heard. Afterwards, hearing some person going down stairs, he went to the door of his room and found it unlocked and open. He then, turning to the left, went down stairs, and up again, and the stairs were very naturally deluged with blood. The first impression of the landlord and the inmates was, that the prosecutor had been laying violent hands on himself,

and he was induced by them to go up stairs into his bed-room. The learned serjeant, after stating the conduct pursued by Mr. Mackreth on getting into his bed-room, went on to say that a person of the name of Peach, who lived in the neighbourhood, being attracted to the house, had his attention excited by the blood; and having found the stairs quite wet with it, and seeing that there was a passage leading from them, examined the floor of that passage. Along the floor of that passage, from the door of the prosecutor's room, up to the very door and door-sill of the room occupied by the prisoner, the passage was wet with drops of fresh blood, not like the blood occasioned by the prosecutor's going down stairs, but small drops of blood. This was immediately after the alarm had been given, and before Mr. Peach knew that the prisoner was even in the house. During the time that Mr. Crawford, a medical gentleman, who was in the house at the time, was engaged in giving his attention to the prosecutor, the prisoner was seen not less than four times about the passage, and once he even came into the prosecutor's bedroom. He would now proceed to state what was the condition of the bedroom which the prisoner occupied. The chambermaid had left him with a candle about three inches long; the room was furnished with a basin, a large jug full of water, a napkin, and a vessel which was generally to be found in a bedroom. The candle was burnt down to the socket. The napkin was missing, and had never been found to this hour. The water-jug was found entirely empty, and its contents were in the utensil referred to, impregnated with alum. There was a window in the prisoner's bedroom, which was partly overhung by the curtain of the bed. This window looked into a yard belonging to a Mr. Whatmore, and he would observe, that on the curtain which covered part of the window some blood was found—not a drop of blood, but impressed by the act of touch. The shirt, also, which the prisoner wore, had marks of blood on it, particularly a spot on the arm, a great part of which had been extracted by suction or some other means. The wound inflicted on the prosecutor was by some sharp cutting instrument, and about six o'clock in the morning a black-handled razor was found, not set, exactly opposite the room occupied by the prisoner, partially wiped, but still wet with blood. Such a razor would be proved to have been in the prisoner's possession. There were some lucifer-matches and sand-paper found under the prosecutor's bed, and the prisoner would be shown to have had some in his possession before he came to Ludlow, while none were found upon him when he was searched.

Several witnesses were then called, who deposed to the facts of the prisoner's anxious inquiries as to the route of Mr. Ludlow, his watching the arrival of the coach at Ludlow, and hurried following of it; and also to the fact of his having on, at Shrewsbury, a pair of white cotton stockings.

Susan James: On Wednesday evening, the 19th of August, I was chambermaid at the Angel Inn, Ludlow. Late in the evening the prisoner asked me for a candle to go to bed. I showed him to No. 20. It was about half-past ten o'clock. I took him up stairs, and left a candle upon the dressing-

table. There was about three inches of candle in the candlestick. There was water in the jug, and a napkin. I am sure upon leaving I shut the prisoner's door. I afterwards showed Mr. Mackreth to bed in No. 17. This was about half an hour afterwards. The prisoner's room was at the end of the same passage. When I took Mr. Mackreth up stairs, I saw the prisoner's door partially open. I was alarmed next morning, and saw the prisoner between seven and eight o'clock. He asked for his slippers, and said he had lost his stockings. The window of the prisoner's bedroom looks into Mr. Whatmore's yard. Upon examination next morning I could not find any napkin. One was found on the passage window. I left the slops in the room just as I found them. The water was emptied from the jug into the chamber-utensil.

Cross-examined by Mr. Lee: Mr. Crawford slept in No. 19. I saw him to bed about half-past ten. The post-boy, the hostler, and another servant, slept in a room over Mr. Mackreth. I had the care of the linen; we kept no list of the napkins in use. Will swear that I placed a napkin the night before in the prisoner's room. The dressing-table was under the window, which looked into Whatmore's yard. There was also a window looking from opposite No. 19 into Whatmore's yard. It was of the same form as that in the prisoner's room. On the morning of the 20th there was a great deal of confusion in the house. I saw a heap of napkins covered with blood. They were not taken out of the other bedrooms, but I brought them out of the closet. I saw napkins brought out of Mr. Mackreth's room, which were not napkins I took out of the closet. I saw a pool of blood on the stairs; no person could go up the stairs without stepping into it. I never knew an instance when the closing of the door of No. 19 made the door of No. 20 give way.

Did you ever say, that you doubted whether the door of No. 20 was closed?—I never did. I am sure I saw a light through the opening of the door.

Now, attend to the words of my question. Did you never say that you was not sure whether the door was closed or not?—I never did.

Was you not induced to believe the door was open simply because you saw the light?—Yes; certainly.

The Judge.—I take that to be the impression of the witness.

Re-examined by Mr. Serjeant Ludlow.—I have since examined the door of No. 20, and I find the light of a candle could not be seen in the passage unless the door was open.

Mr. S. Head, architect, proved the correctness of the model placed on the table.

Cross-examined by Mr. Lee.—The distance between the exterior wall of the Angel Inn and the spot where the razor was found in Whatmore's yard is twenty-eight feet.

Re-examined by Mr. Serjeant Ludlow.—The razor was found in a direct line with the prisoner's chamber window. The window in the passage has bars and a casement to it.

Mr. W. Ludlow was then called, and deposed as follows:—I resided in Birmingham in August last, and was at that time a butcher by trade. I was accustomed to attend fairs in the neighbourhood. I at-

tended Shrewsbury fair in August last, and saw the prisoner there. It was on a Monday night when I arrived. I breakfasted there on the Tuesday morning. Mr. Jobson and the prisoner breakfasted at the same table with me. I said to Mr. Jobson in the prisoner's hearing, "I shall see you in Ludlow on Thursday next." When I alighted from the coach in Ludlow, I did not at first see the prisoner. I went to the Commercial-room and asked for tea. The prisoner, who was then in the room, said "I will take some with you." We entered into conversation, and I asked him if he was not the person I had seen the previous week at Shrewsbury? He replied, "I am." I went into the smoke-room in the course of about an hour, with four or five other persons, and remained there till between twelve and one o'clock. I have used the Angel Inn some years, and during the last two years have invariably, with the exception of the night of the 19th of August last, occupied bedroom No. 17, occupied on that night by Mr. Mackreth. I always attended the August, and sometimes the Christmas, fair. I slept that night in the room at the top of the stairs, No. 13.

William Miller Mackreth.—In August last I was a traveller for the house of Christopher, George, and Company, of Bristol. I was at the Angel at Ludlow on the afternoon of the 19th of that month. On the arrival of the Red Rover coach from Birmingham, some persons came in and took tea. I went with Mr. Bradford, a person whom I knew, into a private room up stairs. It was then about ten o'clock, and I stayed with him about three quarters of an hour, or an hour. No one was in the commercial room when I came back. I rang the bell, and ordered a bed candle. I occupied the room No. 17. I am most positive of the fact that I locked the door of the room when I got up stairs. I looked to see that it was locked, and I am most positive that it was. I went to bed. I did not look under the bed before I got into it. I awoke about four o'clock the next morning. When I awoke I put my left hand in a wound in my neck. I felt the raw flesh, and became alarmed, and I said, "Good God, what is this?" I rose, and felt a hand which pressed me back on the pillow. With my left hand I then pushed the hand off, and sprung out of the bed to the right. I shrieked out. At the time I shrieked out I believe this cut (showing it) was inflicted across my face. I got out on the right side, carrying all the bed-clothes with me, and I felt some one pull me back by the left shoulder. The effect of this was to pull me back, but my weight, which was just on the edge of the bed, carried me down with the bed-clothes. I went to the window, and made an alarm by breaking through a pane of glass. I called out "Help," "Murder," "Fire," as often as I could. I kept repeating the cry, and looked round the room while I did so, fearing that some one might be near me. I broke a second pane of glass. I then heard some persons run down stairs from the room above, and I tried to find the door in order to join them. On making my escape out of the room I heard a rustling noise on my left hand. The door was open about four inches. The staircase is on the left hand as you come out of the door. I am most positive I turned to the left, and

went down stairs, holding the bannisters all the way to the kitchen door. I then made some noise, but I was not, I believe, able to speak. I saw a person whom I have understood to be the postboy, and then Mr. Cooke. Mr. Cooke said, "Go back to your bed-room, pray; what have you done?" I stayed a moment or two, making signs, as I was unable to speak, and then I went up stairs, holding by the bannisters. I was attended almost immediately by a medical gentleman. After my wounds were dressed, I particularly observed one person coming into my room. It was the prisoner at the bar. He came into my bed-room with his head just beyond the bed-curtains. He was laughing and assuming great levity of conduct. He said, "I have lost my stockings; have any of you seen my stockings?"

Cross-examined. — I felt the blood and the wound in the first instance. I felt the blood streaming down me. On feeling the hand upon me, I struck it off. I cannot tell whether my hand struck against a person dressed. I preserved my presence of mind the whole time. I do not recollect whether I had seen Mr. Crawford in my room before I saw Peach and Cross.

Elizabeth Cooke examined.—I am the wife of Mr. Edward Cooke, of the Angel Inn, at Ludlow. His mind is now very much disordered, so that he is not capable of attending here to give evidence.* at Shrewsbury, said he slept at the Angel Inn on the night in

* Mr. Cooke was so much affected by the horrible deed attempted in his house, that he became insane, and died in a madhouse a few weeks after the trial.

The depositions of Mr. Cooke, taken before the magistrates on the 21st of August, were then put in and read. The material portions of them were to the following effect:—"Some time about four o'clock yesterday, as near as I can say, I was alarmed by the breaking of panes of glass and a cry of "fire" in a faint or broken voice. I instantly ran down stairs in my shirt as I was. I thought the billiard room was on fire. The billiard-room was across the way. I met Sam, the postboy, on my return. I saw a quantity of blood on the stairs, and I found there a gentleman in his shirt, which was much torn. I said to him, "Go into your bedroom, and I will follow you." As soon as he came into his room the first person who came to us was a Mr. Lakin, a friend of mine, who was stopping in the house, and then came a gentleman of the name of Crawford, a surgeon of Shrewsbury, who was also sleeping in the house. Some one brought me a candle, and I was going to No. 19, where Mr. Crawford slept, when I saw the prisoner in the passage, with his back towards the wall, in his shirt. I saw the prisoner again while the surgeons were dressing the wounds of Mr. Mackreth. He came into the bed-room. The next time I saw him was about seven o'clock. He was then dressed, but he had no boots or stockings on. He said he could not dress himself, for he had lost his stockings, and he thought they had been dragged into some other room. In answer to a question put by the prisoner, he said, "Blood might be upon your garments, for there was blood in every part of the prosecutor's room."

George Green, a servant in the employ of Mr. Bagley, a banker

question; he saw the prisoner outside Mackreth's door in his shirt, in a stooping position, about ten minutes after the cry of "fire."

John Cross, a tinman residing in a house opposite to the Angel, said he was alarmed by a cry of "Fire" on the morning in question, and he immediately dressed himself to go the Angel Hotel; he saw Mr. Cooke at the door; had there been any one else in the street he must have seen him. He went upstairs and examined the stairs with a candle about ten minutes afterwards, and found a great quantity of blood. The passage leading to the right of Mackreth's bed-room was carpeted, and he observed fresh marks of blood dropped continuously about four or five inches apart. He traced them to within a very short distance of No. 20. The carpet reaches to about within six inches of that room. There was one spot of blood about an inch from the door. Witness supplied the pen and ink to Mr. Mackreth, and he wrote something on paper. He found the window of No. 17 closed, some of the panes broken, and the blind part of the way down. Saw the prisoner leaning on a chest of drawers when the surgeons were dressing the wounds of Mackreth. He had no coat or waistcoat on. When he came to the door about an hour afterwards he had his boots in his hand, and asked about his stockings. He had not been engaged at all in Mackreth's room, and witness did not know how he could lose them.

Cross-examined. — There was not so much confusion that they could have been lost, nor could they have been carried away without being seen. Mr. Peach was in the room before the witness.

Mr. D. Crawford, surgeon, of Shrewsbury.—I was at the Angel Inn, Ludlow, on the night of the 19th of August. About four o'clock in the morning of the 20th I heard an alarm of "Fire." I got up to the window, and saw Mr. Cooke and other persons in the yard of the inn. In a few minutes afterwards I went into the passage leading to my bed-room, and saw a wounded gentleman. He was in the act of returning to his bed-room. I immediately went and rendered assistance. In consequence of my directions the gentleman was placed upon a bed, and in half an hour afterwards I searched the room to see if I could find the instrument with which the wound had been inflicted. I found razors in Mr. Mackreth's dressing-case. They had not been used. They had white handles. I examined the stairs; there were marks of blood upon them. I went to my room for bandages, &c. I felt Mr. Mackreth's pulse, and possibly I might have a little blood upon my hands, but not enough to drop. I was in the room about an hour.

Mr. Henry Hodges, surgeon, of Ludlow, deposed to being called in to attend the prosecutor, and described the nature of the wounds. My impression is they were inflicted by a person on the left. After I had dressed the wounds, I saw marks of blood on the carpet in the passage leading to No. 20. I traced them to the door of No. 20. There was one drop between the carpet of the room No. 20 and the carpet of the passage. They appeared to be a continuation of spots from No. 17 to No. 20. At a later period, about seven in the morning I went into the prisoner's room (No. 20). The curtain at

the foot of the bed overhangs the window. Upon examination I found the window-curtain smeared with blood. The marks were quite fresh, and looked as if they had been done by throwing the curtain back, or by pitching something out of the window. I gave my hand a swing, and it went about two or three inches above the mark. I am about five feet ten inches high. The prisoner is about five feet six and a half inches in height. I believe Mr. Mackreth could not have gone along the passage from No. 17 to No. 20 without blood being spirted upon the walls, the same as on the walls going down stairs. I saw the place in Mr. Whatmore's yard where the razor was found. It was exactly opposite the window of the prisoner's bed-room; and the window, when I entered the room, was open, looking in that direction. I saw that the water-jug was empty, and the slops were in the chamber utensil. I examined the fluid in the utensil and tasted it. It was mixed with alum. I have made several experiments, and I find that alum will take the stains of blood out of linen. I noticed the shirt of the prisoner when he was taken into custody between nine and ten o'clock. It had several marks of blood upon the back, and two on the sleeve. I saw the prisoner searched and a piece of alum was found in his pocket. He was only in possession of 2*d.* in copper. I saw under the prosecutor's bed marks of a person having lain beneath it. I saw the prisoner several times during the morning; he did not assist in any way. There was something in his manner which caused suspicion, and upon my suggestion he was taken into custody.

Richard Hammond, police-officer, proved the finding of the razor in Whatmore's yard, opposite the window of the prisoner's bedroom; it was wet with blood. Went into the prisoner's room before six o'clock; he was partly dressed, covered over head with the bed-clothes.

[Witness produced Mr. Mackreth's night-dress; it was completely saturated with blood, and its exhibition created a strong sensation in court. The prisoner alone appeared unmoved by its production.]

John Vaughan: I live in Birmingham, and know the prisoner. I lodged along with him in July last in Canal-street, Birmingham. He had two razors with black handles; the one I used had not been set; the one produced has been set.

John Hewitt, policeman, of Ludlow, searched the prisoner's lodgings in Birmingham, and only found one razor. It had a black handle, and was in a portmanteau containing shirts marked "Misters."

George Hathaway, hostler at the Angel, Ludlow, deposed to finding, on the 21st of October last, in a brewhouse adjoining the inn, a pair of white unbleached cotton stockings, which he gave to Mr. Davies, the gaoler, who produced them. They were stained with something, but Mr. Hodges, the surgeon, could not say they were stains of blood.

Mr. F. V. Lee then addressed the jury for the prisoner, and said, that when he looked around and saw the state of that crowded court, and recollected that the press of the country had been teemed with facts relating to this trial, he felt that he had a difficulty to contend against beyond the facts of

the case. If, however, the jury would dismiss from their minds all previous impressions, he flattered himself that if they were not satisfied of the prisoner's innocence, they would at least be of opinion that there was not sufficient evidence to convict him. He did not impeach the testimony of any one single witness in the case, but he protested most solemnly against the inferences which they had drawn. He begged the jury would look into and carefully consider all the facts of this case, which he believed was unparalleled in the annals of criminal jurisprudence. He would take the circumstances of the case singly. First, there were the lucifer matches, which were found under the prosecutor's bed. They, however, were not proved to be the property of the prisoner. Then, there was the razor found in the yard. There was nothing in the case to show that that razor belonged to the prisoner; but, on the contrary, the evidence went directly the other way. Then, there were the stockings found in the brewhouse. They, again, were not shown to be the prisoner's; and if they had been, it would not have helped the case for the prosecution, as there were no marks of blood upon them. As to the curtain, the jury would see it, and form their own opinion upon the marks said to be produced by blood. Then, again, stress had been laid upon the fact that the candle of the prisoner had burnt out. He would ask the jury, several of whom might be in the habit of burning a rushlight, whether they never let the candle burn out at an inn? Besides, there was no evidence to show that the candle had not been burnt out before the prisoner went to bed. Next, as to the slops contained in the chamber vessel. The experiments which had been made were performed the day after this transaction, and no evidence had been produced on the part of the prosecution to show that they were in the same state as they were on the 20th. The next part of the case was the alarm. Now, it was proved that Mr. and Mrs. Cooke and Mary Fowkes were the first persons down, and they gave no evidence of the state of any of the doors except that leading into the yard. Any one, therefore, for all that appeared, might have entered the house and gone away again by one of the other doors. Then, as to the state of the passage, it appeared that on the alarm being given, Mr. Cooke and Mr. Crawford, who were first in the prosecutor's room, went twice along the passage, and also that the door of No. 19, in which Mr. Crawford slept, was stained in three or four places with blood. All the inferences, therefore, which had been directed against the prisoner from the state of the passage, might as well attach to the occupier of the bedroom No. 19; but it was said, that there was a mark of blood on the floor between the carpet and the door of No. 20. Now, if Mr. Crawford, after he had seen the prosecutor and returned to his own room for bandages, had in his hurry gone a little further than his own door—and the jury would observe that the door of No. 20 was only two feet off—all this might be easily explained. This supposition was certainly consistent with the fact, that not a single drop of blood was found inside the room; and he would ask them by what magic it was that the dropping of the blood stopped the very moment the pri-

soner entered his room? As to the mark, such as it was, on the curtain, it might have been made by Mary Fowkes, or the constable, both of whom had been, for a long time, in the prosecutor's bedroom, which was stained with blood in every part. But then it was said, that opposite the prisoner's window was found a razor. This, as he had already said, was not proved to belong to the prisoner, and there was nothing to show that that window had been opened, while it was proved that the window of the passage was open at six o'clock; that a stain of blood was on it, and that it was possible to throw the razor to the place where it was found from that window. With regard to the missing napkin, nothing was more probable, when a number of persons were called out of bed at four in the morning, that, in the hurry and alarm, the napkin might have been taken from the prisoner's room to stanch the blood of the prosecutor's wounds. It was suggested on the part of the prosecution, that he had washed the blood off his hands with this napkin; but what time had he for that purpose? He was seen about by different persons from the time of the alarm till six o'clock. When, therefore, was the alum dissolved, the hands washed, the shirt stains removed? That being the case, let the jury ask themselves whether it was possible to inflict such a wound in the dark, as that by which the prosecutor suffered, without the hands being covered with blood. Again, the marks of blood on his shirt were not on the front, as they might have been expected to be, if he had been the assailant, but upon the back. It should be recollected also, that when the wound of the prosecutor was sewed up, the prisoner was standing at the foot of the bed. Looking, therefore, at all these circumstances, and remembering the excellent maxim of Lord Hale, that it was better that ninety-nine guilty persons should escape than that one innocent man should suffer, he trusted that the jury would regard the position of the prisoner with the eyes which charity, justice, religion, and the law required, and give him the benefit of any reasonable doubt which existed in their minds.

Mr. Baron Gurney, in summing up the evidence, told the jury that the difficulty of the case was presented by this question—If that was blood which went on the prisoner's shirt and had been washed out, did it come from the wounded man when the wound was dressed, or at the time when the wound was inflicted? But the next step was, perhaps, the most important in the case, which related to the bloody razor. The circumstance of the razor being found in the neighbourhood of the house so soon after the commission of the act, afforded the strongest presumption that it was the weapon with which the wound was inflicted, and that it must have been thrown there from the house. It was found opposite the window of the prisoner's room, and it might have been thrown there by the prisoner either from that window or from the window in the passage, although the window of the prisoner's bedroom would have been the most convenient place. Now came the part of the case which, in conjunction with the razor, pressed most heavily against the prisoner. The question was, by whom could the act have been done, unless by him? It was difficult, if not impossible, to be-

lieve that the act was done by any person outside the house; the house had not been broken open, and the person, whoever he was, must have been in Mackreth's bedroom, which did not appear to have been forced. In connexion with this part of the case, it was not unimportant to observe, that before this deed was done the prisoner, being in a state of destitution, had made inquiries about a person who he knew had money. It was shown also, that at Ludlow he went to the Angel under the pretence of being a passenger by the Red Rover, thus obtaining a ready access to the house. No suggestion had been made of any innocent motive which could have authorized that part of the prisoner's conduct which was immediately previous to this transaction. The jury, however, would take the whole case into their consideration, and if they entertained any reasonable doubt of the prisoner's guilt, they would find him not guilty; but if, on the other hand, they were satisfied that his was the hand which committed the act charged in the indictment, they would not hesitate to return such a verdict as justice demanded.

The jury retired to consider their verdict, and after an absence of about half an hour returned into court, and stated, that they found the prisoner Guilty.

The learned Judge passed upon him sentence of death, which sentence was carried into effect on the 3rd April. [See Chronicle.]

SURREY ASSIZES, *Aug.* 16.

BOGLE *v.* LAWSON.

This was an action for libel brought by Allan George Bogle, late a partner in a banking-house at Florence, against the Proprietors of "the *Times*" newspaper. The circumstances which gave rise to this action are so extraordinary and so important to the commercial credit of Europe, that the case deserves very especial notice. As the action was necessarily tried upon the legal question of libel, and the case is so encumbered with technical difficulties, that an abstract of the evidence could give but insufficient information, it has been thought better to give a short history of the circumstances, than to present it in the usual form.

In the month of May last, the correspondents of the *Times* addressed a letter to the editor, which was published in that journal, stating "that a great forgery company established on the Continent had been lately detected and blown up, and that the object of the company was to plunder the continental bankers by the means of forged letters of credit purporting to be of the banking firm of Glyn, Halifax, Mills, and Co., of London:" the letter then went on to give the names of the conspirators, and among others included the name of the plaintiff Bogle.

Previously, however, to entering into any summary of this deeply ramified conspiracy, it may not be unnecessary to repeat that the plot had for its object the plunder of the principal of the European bankers; and that the purpose and intent of the conspirators were to rob these gentlemen of about 1,000,000*l.* sterling, and having achieved their daring purpose, the robbers were then, by different routes, to effect their escape to America, India, Algiers, or Egypt, as might be agreed on. It was proposed to accomplish this gigantic fraud by the forgery of "*lettres circulaires*," or what are

ordinarily termed "circular letters of credit." These are obtained from the principal bankers, either for a sum certain, as for instance 500*l.*, drawn on stamps in any given amount the payee requires, or a particular credit of 2000*l.* or 5000*l.*, is demanded, for which the traveller or payee gives value or security in London, and for which he draws in such amount from abroad and at such places as his necessities require. Tens of thousands of these circular letters are issued yearly by the different bankers, both in the city and the west end, for sums varying from 100*l.* to 10,000*l.* They are all as to the wording very similar in substance, though they differ occasionally, not only in collocations of phrase, but in modes of expression. They are all, moreover, engraved in blank, leaving spaces for the number of the letter, for the name of the bearer of it or payee, for the amount of the credit, and for the signature of the bankers.

The particular banking-house in London whose name was forged in the present foul transaction was the firm of Glyn, Halifax, Mills, and Co. The letters of credit of this firm are engraved very much in the usual fashion, on a thick paper, somewhat longer than the paper in use either by the late house of Hammersley, or by Herries, Couts, or the generality of the west-end bankers. Affixed to the letters, or rather stamped on them, are the initials of the firm. Beneath this is a blank space for the payments, which are marked off as they are made on the continent, until the letter of credit is entirely exhausted. Annexed to, and forming a part of, the letter, are the names of the principal towns in Europe, beginning with Abbeville and ending with Zante. Opposite these names of localities are placed the names of the correspondents of Glyn and Co., as, for instance, opposite "Abbeville" are the names of Daverton and Tholomé; and opposite "Zante," Lawrence, Hayes, and Co. Having thus explained the design of the conspirators, as well as the nature and object of the "*lettres circulaires*," we will proceed to show how this design was put into execution. Two ideas it is presumed suggested themselves to the prime movers in this nefarious affair: the first and cardinal one was, that they should enlist among their number a continental banker who had possession of some old circular letters of the house of Glyn and Co., and who could *sub rosâ* aid them with the benefit of his counsel and experience, as well as with one of the genuine letters: the second was, that some one among themselves should come to London, should lodge a given sum with the house of Glyn and Co., should obtain in lieu thereof a circular letter of credit, whereby plates for the engraved portion might be struck off, and a seal or stamp be fabricated, with a view to impress the document with the dry stamp or initials of the company, which appeared thus in *alto-relievo* on the letter, "G., H., M., and Co." The conspirators in such a gigantic scheme as this could not be men from that class among which the perpetrators of frauds are usually found; accordingly the chiefs were men moving in a very high class of society and some account of them is necessary. The society of Florence is composed of, beside the aristocracy of the country, families of high rank of every country in Europe: of these some

are of most unimpeachable honour and respectability, others of broken fortunes and of questionable reputation; but among all the characters resident within the dominions of the Grand Duke there were none so remarkable as the Marquess de Bourbel, and Cunningham Graham of Gartmore. Of the family of De Bourbel little is with certainty known. He has said himself that it was like the family of Barras "old as the rocks of Provence." We believe it, however, to be true that the Bourbels were "*gentillards*," or small gentry of Normandy, and that the immediate ancestor of the present M. de Bourbel filled some subordinate situation in the suite of the late Marquess of Hastings when that lamented nobleman was Governor-General of India. Be this, however, as it may, it is certain that M. de Bourbel entered life with no ordinary advantages; and while yet young became attached to the embassy of that excellent man, M. Hyde de Neuville, then Ambassador of France to his most faithful Majesty the King of Portugal. He was afterwards attached to the French embassy at Copenhagen, but left the capital of Denmark previous to his duel with M. Haidé, a gentleman of Greek extraction, in which the latter fell.

Subsequent to his fatal encounter with M. Haidé, he was looked upon as a gambler, duellist, and *roué;* and it is known ultimately became a member of the Secret French Police. He was a man of very great accomplishments, spoke several languages, exhibited much taste, was an excellent draughtsman; rode, fenced, boxed, and intrigued, and was universally looked on as a specious, agreeable, but thoroughly *mauvais sujet*.

Early in 1838 he eloped from Florence, either with his wife's maid or an opera dancer, and his unfortunate wife, an Englishwoman, whom he had married for her fortune, died in childbirth, broken-hearted by her calamities, a few months after. Public indignation was now strongly expressed, and De Bourbel, yielding to its force, retired with his family to the Villa Micali, a country house near to Leghorn, on the Florence-road. While here De Bourbel did not remain in perfect seclusion. His solitude was occasionally interrupted by the visits of a remarkable man, one Cunningham Graham, formerly of Gartmore in Scotland, but, then, an exile from his home and country.

Of ancient family and good estate, Graham had not only tarnished the fame of his ancestors, but had improvidently squandered the large inheritance which had descended to him. He left Scotland to avoid his creditors some time in the year 1828, and proceeded to Brussels, and after residing at several places, finally took up his residence at Florence. Graham was a man of considerable accomplishments, but withal cool, crafty, designing, and thoroughly unprincipled. He had a refined taste in the fine arts, had read much, and improved a memory naturally tenacious by use and exercise. It was, however, in the imitative and mechanical arts that he pre-eminently excelled. An excellent turner and mechanician, he formed and fashioned the tools which he afterwards used with surpassing ingenuity; and was thus enabled to trace not only copies of the rarest engravings of

Rafael Morghen, but the choicest *chef d' œuvres* of Domenichino and Guido Reni. If in the exercise of his ingenuity this had been the extent of his proceedings, all had been well; but it will be apparent by the sequel, that this machine of Graham's contrivance was not only formed to trace engravings and paintings, but the signatures of bankers. We have stated that Graham arrived in Florence in 1832 or 1833, and De Bourbel in 1833 or 1834. When or how they first became acquainted is not accurately known, but it is presumed it was not very long after De Bourbel's arrival in Florence. Graham had not sojourned for any considerable time in Florence when he was joined by his stepson, Allan George Bogle, the plaintiff in the action. The plaintiff is a native of Glasgow. His father, a West India merchant of some eminence, died several years ago, leaving plaintiff's mother (then Mrs. Bogle) surviving, who has since changed her name by becoming the wife of Mr. Cunningham Graham. Mr. Allan George Bogle entered early in life the royal navy, in which service he rose to the rank of Lieutenant. He is now, and has been for some years, on half-pay. About the year 1834 he became, probably at the suggestion and under the advice of his stepfather, the clerk of Mr. Johnstone, a banker at Florence, and shortly after, on his employer's failure, entered into business for himself, in the month of October, 1837. His existence as a banker on his own separate account was, however, of short duration, for in November of the same year he had ceased to be so; and on the 14th of that month he entered into a partnership with Messrs. Kerrich and M'Carthy, which partnership was afterwards dissolved on the 11th of May, 1840.

During the whole of the year 1838, and so long in 1839 as De Bourbel remained in Florence, his intimacy with Graham continued to increase, and they passed much of their time in Graham's turning room, in which the latter had, at considerable expense, fabricated a machine, whose ostensible use was to trace pictures, but the real object of which was to enable the possessor to trace and imitate the signatures of bankers with unerring accuracy and verisimilitude.

All this time it must be borne in mind that the step-son of Graham was in the bank of Bogle, Kerrich, and Co., one of the partners of which had commercial connexions of the very highest credit and respectability, by means of which the infant establishment was fast rising into profitable business. When or how the plot was first broached to Mr. Bogle, the step-son and banker—whether he was an original conspirator, or whether he became initiated after the subject had been discussed or decided on, does not clearly appear; but of this there can, at least, be little doubt, that his guilty knowledge and his passive acquiescence in the designs of the master spirits in this wicked scheme commenced at a very early period of their machinations. Up to the month of November, 1837, however, there was no imputation on the character of the plaintiff, Mr. Bogle. He lived quietly and respectably at Florence; and though it was known that his stepfather was a person who left Scotland under discreditable circumstances, and that his son, Alexander Graham, (who afterwards played a part in the conspiracy) was a debauched

and dissolute young man, yet there was no imputation—at least none such was publicly known—against the fair fame or repute of Mr. Bogle.

In March, 1839, it is more than probable that the plaintiff was in possession of the secret of the plot as then resolved on, and which was executed little better than a twelvemonth afterwards. Early in that month, De Bourbel was first introduced as a constituent to the house of Bogle, Kerrich, and Co., by the plaintiff Bogle himself.

We have now brought down the conspiracy to the period of active operations. The preliminaries had been conned over and adjusted at Florence. The step-son of one of the chief actors had procured, as appears by the evidence of Mr. Kerrich, a genuine letter of credit in favour of a gentleman named Robert Nicholson, which he, it is presumed, transferred to his stepfather in order that he might trace the signature: it was agreed that Alexander Graham (the son of Cunningham) should bear this auspicious name of Nicholson when operations commenced; and it may also be reasonably inferred, that the plaintiff Bogle should remain quietly *perdu* in his bank, a passive spectator, and that Bourbel should straightway repair to the "*Sentinam corruptionis*," London, in order to procure fitting instruments to carry this cautiously devised and most nefarious conception into execution.

Arrived in that capital, De Bourbel soon discovered an old friend in the person of the Baron D'Arjuzon, (the son of Count D'Arjuzon, peer of France, President of the College of the Electoral Department of the Eure, and First Chamberlain of Hortense, wife of Louis Bonaparte) a person well known as a gambler.

There was little difficulty in securing the hearty co-operation of a man accustomed to the ordinary vicissitudes of a gambler's life, and D'Arjuzon entered into the scheme with readiness, if not with alacrity. The first object to be achieved (having already secured the means of forging the signature) was to gain a sufficient supply of such paper as is used by Glyn and Co. for their circulars—a species of paper which cannot be procured on the continent, and which he obtained with some difficulty. The next object was to procure the printed portions of the letter of credit to be engraved—an operation which could only be successfully, and without chance of detection, performed in London. To accomplish the engraving it became necessary to procure a letter of credit of Glyn and Co., for it was impossible that the letter of Mr. Robert Nicholson at Florence, the use of which it has been before stated, the plaintiff Mr. Allen George Bogle afforded to his stepfather, could be brought away. Accordingly, on the 7th of January, 1840, De Bourbel handed to his friend D'Arjuzon 150*l*., with which he went to Glyn and Co., and obtained one of their letters of credit, and which by an extraordinary coincidence (for it is not exclusively his province) was signed by Mr. Halifax, jun., the same partner who signed the letter of Mr. Robert Nicholson, at Florence. Having thus obtained both an original letter and a sufficient supply of the paper, an engraver was employed to make the copper-plates, the seal was engraven and copies struck off at De Bourbel's lodgings

in the Quadrant. These copies were forwarded carefully to old Graham, who traced on them, by means of his copying machine, the signature of Glyn, Halifax, Mills, and Co.

All was now in active preparation for the emission of these forged letters, but there yet wanted instruments to present them simultaneously in the principal cities of the Continent. With a view to this purpose, the following parties were taken into the plot independently of the original conspirators :—

1. D'Arjuzon, who was to travel under the name of De Castel.

2. Marie Rosalie Desjardins, the mistress of D'Arjuzon, who was to travel under the name of the Countess of Vandec.

3. A person of the name of Frederick Pipe, who was to travel under the name of Dr. Coulson ; he is said to have practised as a veterinary surgeon, but when he became known to Bourbel he was connected with some of the gambling houses of the Quadrant.

4. Charlotte Anne Pipe, said to be the wife of the last-mentioned person, and who was to travel under the name of Lenoy.

5. Alexander Graham (the son of Cunningham Graham,) who was to travel under the name of Robert Nicholson, whose letter of credit (we mean of the real, not the fictitious, Nicholson) it will be borne in mind the plaintiff Bogle handed to Graham the elder, in order to trace the signature.

6. Charles Gerard de Paindry, calling himself Count de Paindry, whose title will be sought in vain in the dictionary of French noble houses.

7. Thomas W. Perry, *alias* Ireland, who did not speak French.

All being in a state of readiness, on the 1st of April the whole of this party (excepting de Bourbel and Pipe, *alias* Dr. Coulson) proceeded to Aix-la-Chapelle, where Alexander Graham was in waiting for them under the assumed name of Robert Nicholson, where they remained till the 19th of April, a day or two before the operations were arranged to commence simultaneously in Belgium, on the Rhine, and in Italy.

It was, it appears, no part of the original compact that the three principal conspirators should present themselves with the forged letters. The chief conspirators limited their operations to the finding of fitting instruments. Bourbel having accordingly placed the subordinate actors under the command of D'Arjuzon (*alias* De Castel), proceeded with Pipe (*alias* Dr. Coulson) to Paris, on their way to Italy, in order to be there in time for the commencement of simultaneous operations in that country on the 21st, the day agreed on. At Nice they met old Graham by appointment, who, it appears from the intercepted correspondence seized by a judge d'instruction in France, "declared the letters to be perfection, and that it would be impossible to refuse them." It was at Nice, too, that, on the 14th, Bourbel, after an interview with old Graham, wrote to Graham the younger to be of good courage ; to act vigorously ; that all was right, "and a proof that all is right is, that Bogle lets him come and embark in the affair. Bogle and your papa are convinced that all will turn out well, and that the letters of credit must be paid." On the 21st, Bourbel presented himself at the banking-house of Bogle, Kerrich, and Co.

and was closely closeted with the plaintiff Bogle in a private room, to which strangers and the public had no ingress, for upwards of two hours. Shortly after De Bourbel's departure, De Paindry presented his letter of credit, and received on it 200*l.*

The plot was now in process of execution, in other parts of Europe, by the subordinates. At Genoa, Frederick Pipe (otherwise Dr. Coulson), presented to Gibbs and Co. one of the letters of credit for 2,000*l.*, requesting to be paid 1,500*l.* in gold, for the purpose, as he stated, of purchasing works of art. Gibbs paid the money, and Coulson signed the usual bills on Glyn and Co. for the amount. Graham, the elder, accompanied Coulson, and as Perry (*alias* Ireland) was in like manner in his operations accompanied by D'Arjuzon, it is presumed these individuals took charge of the money. On the following day Coulson presented another letter of credit to Nigra and Son at Turin, and obtained thereon 600*l.* sterling; on the 23d Coulson and Graham were at Milan, where the former obtained from Pasteur Girod and Co. 800*l.* on another letter of credit. On the 24th 800*l.* was obtained from Louis Laurent and Co. From Parma, Coulson and Graham went by steamer to Rome, necessarily taking Leghorn in their way. At the Villa Micali they had an interview with Bourbel with a view to report progress. It is also certain that they transferred to him his share of the booty, for on the 28th of April it appears by the police books that De Bourbel came into Florence, and Freppa, his banker, admits that on that day he received from him 1,700 Napoleons in gold. These parties next proceeded to Rome. We find them in the "eternal city" on the 28th of April, where Coulson presented himself to M. Le Mesurier, and having asked for 200*l.*, was paid it. He returned and requested 1,300*l.* more, which caused M. Le Mesurier to hesitate, as this was the first time he had honoured any letter of Glyn and Co. Coulson became enraged at this hesitation, saying his father had sent him out to execute a commission he had received to purchase pictures, and that if the money was not paid he should repay the 200*l.*, return to England, and his father should bring an action against Glyn and Co. for the expences of the journey, as well as damages for being thus disabled by the act of their own agent from fulfilling his engagement. On a full consideration of the circumstances, and after consulting the English consul and another gentleman, Le Mesurier and Co. paid the money.

On the day following the execution of the plot at Florence, on Mr. Kerrich's arrival at the bank, at a quarter past ten o'clock, he found the Count in earnest conversation with Messrs. Macarthy and Bogle. The Count had come to return the gold. After leaving the bank the day before he had gone to a shopkeeper's named Phillipson, to take up more money on the letter, and having left it in the possession of this person he returned it to De Paindry in the evening, expressing some doubts of its genuineness. "At first," said the much injured Count, "I determined to pass this over, but on reflection it is a matter which touches my honour ('*Lorsque l'honneur est blessé mortellement on ne doit point songer à garder au-*

cunes mésures'); and rather than have my name brought into question, I have resolved to return your money, and request that you will write your correspondents and reassure yourselves on the matter."

The indignant persistency of the Count; his defiant tone and manner, the air of ingenuousness and truth which he assumed, wrought upon Messrs. Kerrich and Macarthy; the bills which the Count had given on Glyn and Co. were destroyed, and the entry on the circular letter was underwritten in the next line—"The above payment cancelled by desire of the bearer—Bogle, Kerrich, and Co." By this stroke of policy De Paindry not only re-established his credit, but even gave additional colour to the genuineness of the letter of credit. It may be remarked, that it was odd that one of the conspirators chose the house of a fellow conspirator to be victimized with the general run of bankers.

The answer is plain. The gains of Bogle on the robberies, amounting according to the deposition of Ireland to 20 per cent., would be 50 per cent. greater than his individual proportion of the loss of the 200*l.* The circumstance too of his house being a sufferer may have been designed to stifle all suspicion of collusion on the part of Bogle, who would naturally feel, that as the participation of his father-in-law in the fraud might be discovered, suspicion would necessarily also fall on him. The subsequent returning of the money may also have been designed as a blind.

We now return to De Paindry. After enacting the solemn farce of Wednesday the 22nd of April, and putting his tongue in his cheek as he laughed at the credulity of mankind, he proceeded on his way to Bologna and Venice. On the 23rd he presented his letter of credit to Landi and Roncadelli, and obtaining 347*l.*; and on the 25th 40*l.* from the brothers Dubois, of Venice.

At Venice this accomplished sharper took the steamer for Trieste, where on the 29th he received 1,612*l.* 6*s.* from Messrs. Richard Routh. Mr. Routh was so struck with his pleasing manners that he invited him to his opera-box on this evening, and he afterwards supped at his house.

To return to the conspirators on the Rhine. After leaving Aix-la-Chapelle, the Countess Vandec (D'Arjuzon's mistress) proceeded to Cologne, where she presented, on the 22d of April, a letter of credit for 800*l.* to S. Oppenheim, jun. and Co., on which she received 500*l.* No suspicion was excited, as she travelled in her private carriage with a courier and the little girl before mentioned.

After leaving Cologne she proceeded to Coblentz, and on the 23rd of April presented a fresh letter of credit to Messrs. Deinhard and Jordan, on which she requested and was paid 500*l.*, after every possible inquiry had been made.

On the 24th Madame Vandec presented herself to Gogel, Kock, and Co., with a letter of credit for 800*l.*, and obtained thereon 520*l.*

At Mentz she obtained a further sum of 500*l.*, from Human and Mappes Fils on another letter of credit, and after these dexterous feats proceeded to Paris.

On the 20th of April (on which day the forged letters of credit had arrived from Nice, for De Bourbel, with Graham and Coulson, was there on the 14th), D'Arjuzon (*alias* De Castel), with Perry

(*alias* Ireland), left Aix-la-Chapelle, where they had resided from the 1st of April without doing any effective business, and proceeded to Liege. In the street inhabited by the bankers Nagelmackers and Cerfontaine, the Baron handed to Perry a letter of credit for 800*l.*, which the latter presented to these bankers, and asked 550*l.*, which was refused, because his passport was not regular. He, however, returned next day, and received 100*l.*, of which De Castel took 80*l.*, giving Ireland 20*l.* for his trouble. From this they proceeded to Brussels on the 21st or 22nd of April, when they presented to Engler and Co. a fresh letter of credit for 1,400*l.*, and received thereon 750*l.* Of this sum Perry (*alias* Ireland) received 250*l.*, the Baron D'Arjuzon (*alias* De Castel) taking the balance. Ghent was visited by the same parties on the 23rd, when Perry presented to De Meulemeester and Son the same letter of credit on which he had previously received 100*l.* at Liege, but he here met with a refusal, De Meulemeester and Co. stating that they had no letter of advice from Glyn and Co.

Later on the same day, the 23rd, Perry (*alias* Ireland) proceeded to Antwerp, and presented to M. Agie the same letter of credit presented to Engler and Co.; but M. Agie thinking it extraordinary that a man of Ireland's appearance should require a further advance beyond the 750*l.* which he had so recently obtained from Engler and Co. (the applicant being, as he admitted, about to embark for England), refused, because of the want of advice. The real motive of M. Agie was, that he suspected a fraud, and communicating his suspicions to M. Engler, that gentleman sent instructions to have Perry (*alias* Ireland) arrested. He was accordingly arrested on Saturday morning, the 25th of April, together with the woman Pipe, on board the Ostend steamer, bound for London, and safely placed in the custody of the Belgian authorities. On the day previous to this arrest — namely, the 24th, Alexander Graham (*alias* Robert Nicholson) had obtained 150*l.* from the bankers of Aix-la-Chapelle on another forged letter of credit.

These were the different robberies effected on the continent, making a grand total of 10,700*l.*

This extraordinary conspiracy having thus become known by the arrest of two of the subordinate actors, it was immediately noticed in one of the Brussels papers, and afterwards by Galignani's newspaper in Paris. Before, therefore, any effectual steps could be taken to arrest the other conspirators they had notice of the discovery of the plot, and made their escape to different parts of the world.

At Florence everything went in the usual routine at the bank of Bogle, Kerrich, and Co. till the morning of Saturday, the 9th of May. On that day a letter was received from Messrs. Oppenheim and Co. of Cologne, informing Bogle and Co. that forged letters of Glyn and Co. were in circulation. Other reports were now heard touching these forged letters, in which the names of De Bourbel and Graham were seriously compromised. In the evening Mr. Kerrich received a packet of papers from her Majesty's Envoy at Florence, wherein that functionary stated, that having communicated the contents to the Tuscan Government, he now enclosed the papers for Mr. Kerrich's perusal. Mr.

Kerrich found the documents to be of the most serious importance to Bogle, and instantly proceeded to find his partner. These papers were the depositions of Ireland, taken at Ostend on the 27th of April, in which the names of Bogle, Bourbel, and Graham were seriously compromised. Bogle's distress of mind was very great. On Sunday, the 10th, Mr. Kerrich made known the circumstances to Mr. Macarthy, his partner. They proceeded to Bogle's lodgings, and found him in bed in a very agitated state of mind. Bogle instantly directed them to take the keys of the bank, and declared his irrevocable determination to retire from the firm. Ultimately a formal letter was drawn up by Mr. Macarthy, at Mr. Bogle's request, withdrawing from the firm.

The news of the discovery of the plot spread from Brussels to Paris, and from Paris to London, with great rapidity, and in consequence, the correspondent of the *Times*, addressed to that journal the letter alluded to above, upon the publication of which the action was founded. The first intimation that the defendant had of the action was by a letter of Mr. S. Fyson, dated June 22, 1840, stating that the plaintiff had arrived in London the week previously, and had directed him to commence proceedings. On the 24th of June, Mr. Dobie, the defendant's solicitor, undertook to appear to any action commenced, but stated, that as he had written to the gentleman who furnished the statement, he wished to know whether it would be asking too much that Mr. Fyson should delay proceeding further till he received that gentleman's answer? To this reasonable request a reply was received from the plaintiff's solicitor, dated June 30, 1840, stating that the nature of the libel on Mr. Bogle rendered it incumbent on him to bring the case before a jury as early as possible. The letter enclosed a writ, and required an undertaking on behalf of Mr. Lawson to appear to it. The action was accordingly commenced on the 30th of June, 1840. The declaration was delivered on the 14th of July, and the venue laid in Surrey, with a view of hastening the trial at the Summer Assizes, commencing at Guildford on Monday, the 3rd of August. On the action being commenced, inquiries were immediately made into the truth of the alleged libel at various places on the Continent of Europe, but sufficient information could not be obtained to enable the defendant to plead within the prescribed time, and further time was obtained upon affidavit till the 8th of August, notwithstanding the strenuous opposition of the plaintiff. It was afterwards found that there was no possibility of ascertaining the real facts of the case without the sending of a person all over the Continent of Europe expressly for that purpose. The information which had been already received, imperfect though it was, afforded a more than strong presumption that the plaintiff was really implicated in the conspiracy. The proprietors of the *Times*, therefore, disregarding all thought of expense and delay, and personal inconvenience, and the having an imputation hanging over them, for the sake of public justice, and in order to avail themselves of the opportunity which the action would afford of proving to the world the extraordinary plot which had been formed, resolved to send their at-

torney to the different towns on the Continent, personally to investigate the whole circumstances and real nature of the case. Time having therefore been obtained by affidavit, Mr. Dobie, and subsequently Mr. Kirwan, a barrister, proceeded to the Continent, and after a most anxious and diligent search, and under most harassing difficulties, and at an enormous expense succeeded in collecting sufficient evidence to prove the above statements.

After a very lengthy trial, the jury returned a verdict for the plaintiff, DAMAGES ONE FARTHING, and the judge refused to certify for costs, thus leaving each party to bear their own expenses—virtually a verdict for the journal which had dared to expose this formidable confederacy.

Of the conspirators in this gigantic scheme of fraud—Bogle, the plaintiff, was, as above shown, baffled, disgraced, and ruined, (if under any circumstances he could escape the latter fate.)

De Bourbel retreated to Spain, but is supposed to have been in London, at the time of the trial and to have supplied Bogle with cash, and what would be more valuable, with the hints and counsels of his crafty brain.

The Count De Paindry was overtaken in Moldavia and compelled to disgorge some of his plunder, was delivered over by the summary police of Constantinople, and sent to Genoa, and thence to Aix, where the court declared its incompetency to take cognizance of the affair, and he was dismissed.

Alexander Graham died of a loathsome disease at a *Maison de Santé*, near Paris, in great want and misery.

Graham the elder, D'Arjuzon and his mistress, and Pipe, do not appear to have suffered any molestation on account of their share in the transaction, other than that they were compelled to decamp very suddenly; so that the only parties punished in connexion with a fraud of unexampled magnitude, laid with consummate skill, and put into execution with a boldness which ensured its success, was the journal, which, by its frank publication of the existence of the plot, put the commercial men of all Europe on their guard, broke up the confederacy, and prevented the loss of thousands. The expences of the *Times* in defending themselves from this action are known to have amounted to many thousand pounds.

The bold and manly conduct of the *Times* in publishing the original account of the confederacy, the resolution with which they stood the attack as well by pleading "justification" instead of the usual evasive plea, as the enormous expense they went to to support their plea, and the important consequences resulting from their whole proceedings, did not escape the observation of the merchants and bankers and was justly appreciated by them. It was resolved that some mode should be taken of shewing to the proprietors of the journal, the high sense entertained of their services, and a committee was speedily formed of the leading merchants and bankers—subscriptions poured in from every quarter, the corporation of the city, the companies, the incorporated bodies of every kind, merchants, bankers, and tradesmen, and even private parties, hastened to forward very handsome contributions; nor were the leading merchants and bankers of the Continent at all backward—they indeed were the parties chiefly

aimed at by the conspirators, and they came forward very handsomely—so that in the course of a few months the subscriptions amounted to 2,700*l.*

The proprietors of the "*Times*" now added another honour to those they had already gained—for declining any of the customary forms in which tributes of this nature are usually embodied, they requested that some mode should be chosen by which at once the memory of the occasion might be perpetuated, and the community benefitted—and it was finally decided, that with the exception of the expenditure of a trifling sum in tablets with suitable inscriptions, one to be placed in the Royal Exchange, and the other in a conspicuous part of the *Times* printing establishment, the whole of this munificent sum should be appropriated to the foundation of two scholarships to be given to youths elected from Christ's Hospital and the City of London School, to the Universities of Oxford or Cambridge.

CROYDON, *Aug.* 20.

ROUSE *v.* FIVAZ.—This was an action of a rather extraordinary character, to recover the amount of a bill of exchange, drawn by one John Ashall Lemon, and accepted by the defendant, for 33*l.* 6*s.* 8*d.*, and endorsed by the plaintiff.

The defendant pleaded that the bill had been given to compound a felony, and that therefore the plaintiff could not recover upon it.

The plaintiff confined his case to proving the defendant's acceptance.

Mr. Thesiger said, that on the part of the defendant he would not attempt to deny, that he had put his name to the bill in question; the defence was, that the bill had been originally given to Nicholls for the purpose of compounding a felony, and if he proved that, and satisfied the jury that the present plaintiff was merely put forward nominally, in order to throw a difficulty upon the defendant, he should be entitled to their verdict. He then went on to state, that Lemon had been a confidential clerk to Nicholls for a considerable time, but in the beginning of the present year he thought fit to make a serious charge against him of embezzling a large sum of money, and upon that charge he was taken into custody, and underwent an examination at Union-hall. He should be able to show, that the person Nicholls cared nothing for the interests of the public in the proceeding he adopted, and that his only object was his own benefit; for after the unfortunate man Lemon was in custody, his respectable relatives were harassed, and induced to give securities to the amount of 400*l.*, and then the charge was abandoned, and Lemon was set at liberty.

Mr. Platt then replied, and said he should submit with confidence, that the defendant had not substantiated the plea he had thought fit to place upon the record, and that the plaintiff was entitled to a verdict. The most that had been made out was, that Nicholls, finding he could not substantiate the felonious charge of embezzlement, had taken from his clerk security for the repayment of money that it appeared by the books he was indebted to him, and in this course he was quite justified.

Lord Chief Justice Tindal, in summing up, observed, that the question the jury had to decide

was one of a most important character. The offence of compounding a felony, and that it was which was imputed by the defendant to have taken place, was of a most serious character; and by the laws of England no security was of any value that was given for such a purpose, unless the party holding it had given real consideration for it. The jury would have to say, whether Rouse was put forward, nominally, to release Nicholls from the effect of the defendant's plea, in which case he would stand in exactly the same position that he himself would have done; and, secondly, whether the charge of compounding a felony had been made out. Undoubtedly, if it had been a mere question of debt, Nicholls would have been justified in taking security from Lemon; but it certainly appeared very strange, that while the latter was in actual custody he should have demanded a security for 400*l.* for the appearance of Lemon after he was discharged, in order that he might give other securities for the same amount.

The jury, after a minute's deliberation, returned a verdict for the defendant.

ARCHES COURT,

Saturday, May 8.

THE OFFICE OF THE JUDGE PROMOTED BY MARTIN AGAINST ESCOTT.—VALIDITY OF LAY BAPTISM.

Sir H. Jenner delivered his judgment in this case. After some preliminary observations upon the importance of the question and the ability with which it had been argued by the bar, the learned Judge observed, that the case had been brought before this Court by letters of request from the Chancellor of the diocese of Lincoln, and was a cause of office promoted by an inhabitant of the parish of Gedney, in Lincolnshire, against the Rev. Thomas Sweet Escott. the vicar of that parish, and the offence imputed to him was, the refusal to bury the infant child of two of his parishioners, the daughter of Thomas and Sarah Cliff, convenient warning having been given to him for that purpose. The articles had been admitted without opposition, and a responsive allegation had been brought in by Mr. Escott, which, after debate, had been admitted, with the exception of one article. The facts of the case had been admitted on all hands. The articles set forth that Mr. Escott, being a priest in holy orders of the Church of England, had, in violation of the 68th Canon, declared his determination not to bury the corpse of the infant: and that, on the 17th of December, 1839, he did, contrary to his duty, refuse to bury the corpse when brought to the churchyard, convenient warning thereof having been given. The responsive allegation pleaded matter of law, rather than of fact, which went to show that, as a Minister of the Church of England, the defendant was not only not required to bury the corpse, but that, in refusing to do so, "he acted in obedience to, and conformity with, the obligations by which he bound himself when he became an ordained Minister of the Church of England;" for that Elisha Balley, the Wesleyan teacher by whom the infant was alleged to have been baptized, had never received Episcopal ordination, and was not a lawful Minis-

ter; the pretended baptism, therefore, not having been performed by a lawful Minister, was altogether invalid, and contrary to the doctrine and law of the Church of England. The question, the learned Judge proceeded, came simply to this: whether the child, having received the outward and visible sign of Baptism—namely, sprinkling with water in the name of the Father, and of the Son, and of the Holy Ghost, by a person who was not an ordained Minister of the Church of England (as it was admitted with regard to Mr. Balley) was to be considered within the terms of the rubric "unbaptized," at whose interment the burial service was not to be read, and whether the refusal to bury the child, therefore, was or was not an offence which brought the defendant within the provision of the 68th Canon? This Canon expressly declared, that a Minister who should refuse to bury a corpse brought for that purpose, after convenient notice, should incur the penalty of three months' suspension, unless in the case of persons who had been denounced excommunicated *majore excommunicatione*. But this was not the only case in which a clergyman would be entitled to refuse burial, because, by the Rubric of 1661, which now governed the law upon this point, the service is not to be read over any who die unbaptized, or excommunicate, or who have laid violent hands upon themselves. Now, as the child in this case could not fall within the class of persons excommunicate, nor that of persons who lay violent hands on themselves, the question to be determined was, whether the terms of the rubric, "any who die unbaptized," meant a total absence of the rite, or a want of qualification in the person by whom it was administered. In this stage of the question, the first inquiry was, what is essential to the due and valid administration of the Sacrament?" It was admitted on all hands that no baptism would be valid unless the matter and the form of administering it were used; that, is, unless the child were immersed or dipped in water, or sprinkled with water, with an invocation of the "Father, Son, and Holy Ghost;" and it was clear that so far the requisites of Baptism had been duly complied with in the present case. But it was contended, on the part of Mr. Escott, that it was not enough that the outward and visible sign of Baptism should be employed, but that the rite must be administered by a person duly authorized and commissioned for the purpose; that since 1661 no person who had not received Episcopal ordination and consecration was a "lawful Minister," within the terms of the Rubric, and that in the present case the person who administered the Sacrament not having received Episcopal ordination, and the Minister being a necessary part of the Sacrament, the Sacrament itself, so administered, became null and void; that the question, therefore, must turn entirely on the interpretation to be put upon the term "lawful minister," and if, according to the construction put upon the term by Mr. Escott, "Episcopally ordained Minister" is the only meaning that can legally be applied thereto, his defence was established. On the other hand, on the supposition that the Minister is not a necessary part of the sacrament, and his

presence is only requisite for the sake of order and regularity, and that the sacrament is sufficiently administered, though it be by uncommissioned and unauthorized hands, then the charge of the promoter would be established against Mr. Escott, who would have offended the law and incurred the penalty. When he (the learned Judge) said that the question was whether Baptism by any other than a Minister Episcopally ordained was valid or not, he disclaimed any intention of entering into the theological part of the question, which did not belong to this Court; it was sufficient for him to see whether the Church had expressed any opinion upon this point, and what that opinion was, and to pronounce accordingly. The law of the Church was that alone which this Court was competent to administer, and by that law the Court must be governed. It might be deemed superfluous, after the admission contained in the allegation of Mr. Escott, that up to 1603 the Reformed Church of England had permitted Lay Baptism, to travel to earlier periods, to see to what extent the practice had existed; but the admission had been somewhat qualified by Mr. Escott, who had spoken of the practice as being "tolerated" only, and considered it as one of the corruptions of the Church of Rome, which had been repudiated by the Reformed Church of England after 1603. Under these circumstances it was not altogether useless to endeavour to ascertain at what period the practice of Lay Baptism had been introduced into the Church, how far it had extended in the Church of Rome, and afterwards in the Church of England, and how far it had been the practice of the Primitive Church. In order to arrive at a correct knowledge of the state of the law on this point, it was necessary to see what the law was at the time of the alleged alterations. The law had been laid down in the case of "Kemp *v.* Wickes," where it had been truly said that the law of the Church was to be deduced from the ancient Canon law, and from the Constitutions, Rules, and Rubrics of the Church, and from Acts of Parliament. In the first instance the administration of the Sacraments had been confined to the Apostles; it afterwards devolved upon their successors, the Bishops of the Church, and then to persons duly commissioned and sent forth by them to perform the office; and, as a matter of order, this had continued down to the present time, though it did not follow that the administration of the rite by others than persons so qualified was not a sufficient and valid administration. To the practice of the Primitive Church on this point the Court would pay the greatest attention—whether it did or did not justify the administration of Baptism by lay hands; or whether this was one of the corruptions introduced into the Church at periods long subsequent. Now it appeared that at the commencement of the third century this practice prevailed to some extent. (The learned Judge here cited passages from Tertullian, St. Austin, St. Cyprian, and other early Christian writers and fathers, wherein mention was made of Baptism administered by laymen.) It was clear, therefore, that in the Primitive Church the practice prevailed, though it might be considered irregular. The Eastern

and Western Churches, it appeared, embraced different sides in this respect, but eventually the Eastern Church desisted from its opposition to the practice of Lay Baptism, and at the end of the fourth and beginning of the fifth centuries it was universally admitted in both the Eastern and Western Churches, under certain circumstances, and this had been adopted into the Canon law, which was recognized throughout Europe, and was the foundation of the law of the Church of England itself. The Canon law, as far as applied to the Church of England, was to be collected from the provincial Constitutions passed in this country by several Archbishops between the reigns of Henry 3rd, and Henry 5th and 6th, very nearly reaching to the time of the Reformation, and this law had been confirmed by the Parliament of Henry 8th, so far as it was not repugnant to the Common or Statute law, or to the Prerogative of the Crown. These Constitutions had been collected by Linwood, who had given a learned exposition of the law of the Church at that time, and he would refer to the valuable gloss of this writer, not as an authority for the law of the Church at this time, but as a most sound expositor of the law as it stood at that day. (The learned Judge here read several passages from *Linwood, De Sacramentis*, showing that the practice of Lay Baptism was held valid where necessity required it, and where unnecessary not invalid, though irregular.) This continued to be the law of the Church of England up to the period of the Reformation, and was, as he had said, confirmed by the Act 25 Henry 3rd, c. 19, so far as not repugnant to the Common law, Statute law, and Prerogative of the Crown, and, so far as this Canon law was unrepealed and unaltered, it continued to be law at the present day. The alterations in the Rubric commenced in the reign of Edward 6th, when the liturgy of the Reformed Church of England was reduced into order, and in the first Prayer-book of King Edward, Baptism by private persons was not only sanctioned, but there was a special form provided for the purpose, which clearly denoted the absence of any Minister, and the parents of a child so baptized were to be assured that "beyond all doubt" it had been sufficiently baptized, and ought not to be baptized again. As a matter of expediency it was required that the child should be brought to the Church, that the Minister might be satisfied whether the essential forms had been used, and he was then to certify that the parties had "done well and according to due order." The Prayer-book of 1549 had been revised in 1552, but no material alteration was made, and though the act which authorized this Prayer-book had been repealed in Queen Mary s reign, the act of Mary had in turn been repealed by Queen Elizabeth's Parliament; so that the statute of Edward 6th had been re-enacted, and became again the rule by which the offices of the Church were to be governed, till 1595. In 1565 an attempt was made by the Puritans to exclude women from the administration of this office; but, nevertheless, nothing was done. In 1575, however, at a convocation, it was determined that the rite of Baptism should be administered by no other than a "lawful Minis-

ter;" and, as great stress had been laid upon this circumstance, it was proper to consider the history of the Article or Canon agreed to at this time, which was enveloped in a great degree of mystery and obscurity. It was clear that it was not printed with the other Canons agreed to on that occasion. The Canons were fifteen in number; one of them (the 15th) was omitted, because disapproved of by the King; thirteen were printed, but without the Canon in question, which was the 12th, though it was said to have been published. Collier, in his *Church History*, had given a copy of this Canon, to this effect:—"Where (whereas) some ambiguity and doubt hath risen among divers, by what persons private Baptism is to be administered; forasmuch as by the Book of Common Prayer allowed by the statute, the Bishop of the diocese is authorized to expound and resolve all such doubts as shall arise concerning the manner how to understand and to execute the things contained in the said book; it is now, by the said Archbishop and Bishops, expounded and resolved, and every of them doth expound and resolve, that the said private Baptism in case of necessity is only to be ministered by a lawful Minister or Deacon called to be present for that purpose, and none other; and that every Bishop in his diocese shall take order that this exposition of the said doubt shall be published in writing before the first day of May next coming in every parish church of his diocese in this province; and thereby all other persons shall be inhibited to intermeddle with the ministering of Baptism privately, being no part of their vocation." Now there was no doubt that this was a very strong expression of the convocation on the point in question; that though the practice had been thought sufficient in former times, the heads of the Church were of opinion that it ought not now to be tolerated. But, if this Canon had been published and acted upon, it was extraordinary that no copy of it could be found in any book or registry of any diocese; that it should not have been so much as mentioned at the conferences at Hampton-court, in 1603, or by Hooker, who wrote a very few years after its existence, if it ever existed at all, or if it had not been suppressed immediately after it passed, or if it even had, or was considered to have had, any binding authority. If the effect of this Canon was to alter a practice which had existed for thirteen centuries, and sanctioned by Edward 6th and Elizabeth up to 1575, it was a most important one to be observed and acted upon; and yet, in 1584, nine years after the passing of this Canon, a petition was presented by the Puritans to Archbishop Whitgift, praying (amongst other things) that all Baptisms by midwives and women might be interdicted and declared void; whereas, if this Canon had been in force, such Baptisms must have ceased, and the Archbishop himself never doubted of the validity of such Baptisms. Nay, in Queen Elizabeth's Prayer-book, 1595, the passage in King Edward's Prayer-book, as to the sufficiency of Lay Baptism, was retained, and Mr. Escott himself had admitted that such a practice continued to be "tolerated" till 1603. On the accession of James 1st the "millionary" address was presented to him by the Puritans, which sought, amongst other things, that Bap-

tism should not be administered by women, a limitation somewhat remarkable, the practice of Baptism by laymen still continuing. The consequence of this petition was, the conferences held at Hampton-court before the King and the Lords of the Council. (The learned Judge here read an account of what took place at these conferences from Dr. Cardwell's work, whence it appeared that some difference of opinion prevailed amongst the prelates as to the construction to be put upon the Rubric, and that the King expressed his opinion to the effect that, although Baptism should be administered by a lawful Minister, yet "he utterly disliked all rebaptism.") It appeared that King James was of opinion that if the act had been *de facto* done, he so disliked rebaptism, that he would not have the rite repeated, though it were done by women and laics; and it had been thereupon observed by one of the prelates, that "the Minister is not of the essence of the Sacrament;" to which the King replied, that, "although not of the essence of the Sacrament, he was of the essence of its administration." The result was, the insertion in the Rubric of the words "lawful Minister," instead of "them that be present," and that was the utmost extent, it is said, to which the Bishops would agree; they would not agree to abolish altogether the practice of Lay Baptism, by declaring it absolutely null and void. The inference to be drawn from the result of the conference at Hampton-court, therefore, is not that stated by Mr. Escott in his plea, that from that period the practice of Lay Baptism had been repudiated by the ecclesiastical authorities of the realm, and that, to give effect to that repudiation, King James directed the Liturgy to be altered; nor was the language of King James himself, in his proclamation, directing this alteration, wherein he speaks of the changes as "some small things," consistent with the supposition that he was thereby sweeping away altogether a practice which had continued for 1,300 years. He (the learned Judge) could not understand, if the King and the prelates had been of opinion that Lay Baptism was invalid, why they should have left their opinion ambiguous; why they should not have expressed it plainly, and stigmatized it as one of the corruptions of the Church of Rome. The Articles of 1562 contained express declarations against the doctrine of purgatory, the adoration of images, and the invocation of saints; was not this corruption of equal importance, and one respecting which it was even more necessary to speak plainly, in order to remove all doubts on the subject of Baptism? It never could have been their intention, if such had been their opinion, to leave so important a matter in a state of doubt and ambiguity. He thought, under these circumstances, the Court was entitled to say, that at this time, the Church had made no express declaration pronouncing Lay Baptism to be invalid, and if not, the law as it was at that time must be the law of the present day, unless it had undergone some subsequent alteration. It did not appear that after the publication of this Rubric the practice of Lay Baptism ceased, and it was clear that for ten or twelve years before the Restoration there could have been no Baptism by a lawful Minister. At the

Restoration the alteration made by King James 1st (who had thereby, in effect, repealed a statute of King Edward by his sole authority) was confirmed by Act of Parliament. A conference took place at the Savoy in 1661, between certain of the Bishops and the Presbyterians, in order to see whether alterations could be made in the Common Prayer which would be satisfactory to both parties; but in consequence of the demands of the Presbyterians the conferences were broken off. By the 13th and 14th of Charles 2nd the Rubric in the Book of Common Prayer was confirmed by Parliament, and became part of our Statute law, to which all persons are bound to conform; and this Rubric, which is in force at the present time, is prefixed to the service for the Burial of the Dead, in which, for the first time, was a declaration that persons who die unbaptized are not to have the service read over them. The act did not define the sense of the term "unbaptized,"—whether wilfully unbaptized, or by misfortune, or accident. In its common and general sense, the word could not be understood to be used with respect to the person by whom the rite had been administered; but it was said that the word was used by the Church of England in a more confined sense, and with reference to a person not baptized by one who was himself a lawful Minister according to the Rubric, and that meant a Minister who had been episcopally ordained, for that now these words bore a different interpretation since the year 1661, for that the preface to the ordination service declared that no person should be considered or taken to be priest or deacon who was not in holy orders and had not had ordination; whereas, in the time of James 1st, a "lawful Minister" might be a person admitted to ordination not by an Episcopal Church, though he could not hold offices in the Church till lawfully ordained. The question, then, would be whether by the designation "lawful Minister," in 1661, it was intended only a person episcopally ordained, not necessarily by a Bishop of this realm, as a person ordained by the hands of a foreign Bishop, on renunciation of his errors, might be received into this Church. Now, the act of 1661 made it necessary for a person to be episcopally ordained to obtain preferment in the Church; but suppose a Presbyterian should present himself for ordination to a Bishop of the Church of England if, on examination, the Bishop found him qualified, he (Sir H. Jenner) apprehended that he would have no difficulty in admitting him to holy orders, and in ordaining him without requiring him to be rebaptized, supposing he had been baptized in his own country. Although, therefore, in using the words "lawful Minister," in the baptismal service, the law might mean a person who was a lawful Minister of the Church of England, it did not follow that a Baptism administered by a person who was not an episcopally ordained Minister was not to be acknowledged as a valid act. Bishop Fleetwood, treating of Lay Baptism, said that, for the first fifty years after the Reformation, the Church of England had allowed Baptism by lay men and women; for the next fifty years she required a lawful Minister to perform the rite; but that she did not say that all who were not episcopally or-

dained Ministers were not lawful Ministers, and he showed that such an interpretation would exclude not only Presbyterians, but foreign Protestants; and he proved decidedly, that Baptism by a Presbyter, not of episcopal ordination, was, nevertheless, a good and valid act. The work of Bishop Fleetwood, in fact, embraced the whole argument on both sides in reference to Lay Baptism. But if the administration of Baptism was to be strictly confined to lawful Ministers, and if a lawful Minister were one episcopally ordained and no other, and no Baptism were valid without such Minister, it was extraordinary that the only instance which could be found of a refusal to inter a person who had been baptized in any other form should be that in "Kemp *v.* Wickes." There must have been a vast number of persons between 1640 and 1660 baptized by Ministers not episcopally ordained; and in the absence of all allusion by historical writers to cases in which such persons had been considered as unbaptized, showed that it was not intended to include within that term persons who had been baptized with water in the name of the Holy Trinity, although not by a lawful Minister; and that, though irregular, the act was not null and void. In 1712 a controversy had arisen upon this point, which had led to a conference at Lambeth, where the subject had been discussed by the Archbishops and Bishops of both provinces, and the result was stated by Burnet in his *History of his Own Times.* He there states that a "conceit" had sprung up as to the invalidity of Lay Baptism, and that Dodwell had given rise to this conceit; that the Bishops thought it necessary to put a stop to it, and with that view drew up a declaration to the effect that, although such Baptisms were irregular, yet conformably to the practice of the Primitive Church, and to the doctrine of the Church of England, Baptism with water and invocation of the Trinity ought not to be reiterated. He states that the Archbishop of York at first agreed to this declaration but afterwards retracted; that the Upper House of Convocation passed it, but the Lower House laid it aside, "thinking it struck at the dignity of the priesthood." The publication of the remains of Archbishop Sharpe (the prelate alluded to) by his son gave a different version of the story, as far as he was concerned, though the other facts were the same; showing that his only motive for rejecting the declaration arose from his apprehension of its "encouraging Dissenters in their uncanonical practice." In his letter to the Archbishop of Canterbury he expressly stated, that he concurred with the rest of his brethren that Lay Baptisms, in the name of the Trinity, ought not to be repeated. The declaration, therefore, expressed the opinions of all the heads of the Church, that, at this time, according to the law of the Church, Baptism with water, in the name of the Trinity, though administered by lay persons, was good and valid; so that, beyond all doubt, up to 1712, the Church of England held Lay Baptism to be valid, and that persons baptized by laymen after 1661 were not unbaptized persons, and, as such, to be refused Christian burial; and if Lay Baptism was good then, it was good now, for no alteration had since taken place. It was true

that a great number of writers, arguing the question with great ingenuity, had expressed a different opinion, a reference to whose works and arguments would be endless. One of these writers (Bishop Waterland), who had originally defended the validity of Lay Baptism, had been afterwards converted to an opponent of that doctrine by the arguments of Mr. Lawrence, a layman of the City of London, who, having been baptized by a Dissenting Minister, had procured himself to be rebaptized by a curate in the city, and had maintained the invalidity of Lay Baptism with great learning and ingenuity. But his arguments did not shake the doctrine that the Church of England acknowledged its validity; and Bishop Waterland himself admitted that "the stream of authority and of antiquity was against them." The great Hooker, who was looked up to by all persons with a respect and deference due to his learning and piety, clearly showed that the Church of England held Lay Baptism to be valid, though she considered it irregular, and as an intrusion on the Priest's office, for which a party was punishable. The learned Judge then went into different parts of the Baptismal service, the Catechism, and the Articles, to show the construction put by the Church upon the nature of the Sacrament itself; and he argued from the fact of foreign Churches having expressly prohibited Lay Baptism, that had the Church of England intended the same, she would have interdicted it expressly; and he concluded by expressing his opinion that the promoter had sufficiently proved the articles he had given in, and that Mr. Escott had failed in establishing his allegation. The next question was, what was the punishment to which the Court must subject Mr. Escott under the circumstances? It had been very properly stated, on the part of the promoter, that there was no intention to follow up the proceeding in a vindictive manner, and that he would be satisfied if the Court should monish Mr. Escott to refrain in future, and condemn him in the costs. He (the learned Judge) had already said, he thought that Mr. Escott was perfectly justified in taking the opinion of the Court, and in the case of "Kemp *v.* Wickes," Sir John Nicholl had contented himself with monishing the party to refrain, and he (Sir H. Jenner) should be glad if he could follow that example. But in that case the party gave an affirmative issue to the articles, and there was no intention to appeal the question to a higher tribunal; whereas, in the present case, his sentence would go before the Judicial Committee, and he might probably defeat the object of both parties by giving an illegal judgment. It was not a proceeding under the Common Law, but under the 68th Canon, which fixed the punishment at three months' suspension, and he must, therefore, though he should have been glad to modify his sentence, pronounce that the party had incurred the penalty.

Notice of appeal was immediately given.

[It may here be useful to state that the above judgment was affirmed.]

PUBLIC DOCUMENTS

AND

STATE PAPERS.

I. DOMESTIC.
II. INTERNATIONAL.
III. COLONIAL.
IV. FOREIGN.

FINANCE ACCOUNTS

CLASS I. PUBLIC INCOME.
II. PUBLIC EXPENDITURE.
III. DISPOSITION OF GRANTS.

PUBLIC INCOME OF THE UNITED KINGDOM,

HEADS OF REVENUE.	GROSS RECEIPT.	Repayments, Allowances, Discounts, Drawbacks, and Bounties in the Nature of Drawbacks, &c.	NET RECEIPT within the Year, after deducting REPAYMENTS, &c.
ORDINARY REVENUES.	£. s. d.	£. s. d.	£. s. d.
Customs	23,821,486 6 7	306,111 14 6¼	23,515,374 12 0¾
Excise	15,477,674 15 11½	874,827 10 2	14,602,847 5 9½
Stamps (including Hackney Coach and Hawkers' and Pedlars' Licenses	7,494,239 14 7¾	217,878 14 8½	7,276,360 19 11¼
Taxes, under the Management of the Commissioners of Stamps and Taxes	4,720,457 5 4¼	5,103 17 3½	4,715,353 8 0¾
Post Office	1,539,274 10 5½	43,734 1 4¾	1,495,540 9 0¾
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	5,752 10 8	.. ..	5,752 10 8
Crown Lands	438,297 17 5	.. ..	438,297 17 5
Small Branches of the Hereditary Revenue	5,562 14 11	.. ..	5,562 14 11
Surplus Fees of Regulated Public Offices	93,504 18 4	.. ..	93,504 18 4
TOTALS of Ordinary Revenues	53,596,250 14 4	1,447,655 18 1	52,148,594 16 3
EXTRAORDINARY RESOURCES.			
Money received from the East India Company, on account of Retired Pay, Pensions, &c. of her Majesty's Forces serving in India, per Act 4 Geo. 4, c. 71.	60,000 0 0	.. ..	60,000 0 0
From the Trustees of the King of the Belgians, the Amount repaid into the Exchequer for the use of the Consolidated Fund, out of the Annuity granted to Prince Leopold	35,000 0 0	..	35,000 0 0
Imprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public	71,838 13 2	.. ..	71,838 13 2
TOTALS of the Public Income of the United Kingdom	53,763,089 7 6	1,447,655 18 1	52,315,433 9 5

FOR THE YEAR 1841.

Class IV. Public Funded Debt.
V. Unfunded Debt.
VI. Trade and Navigation.

for the Year ended 5th January, 1842.

TOTAL INCOME, including BALANCES.	TOTAL Payments out of the Income, in its Progress to the Exchequer.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS Outstanding on 5th January, 1842.	TOTAL Discharge of the Income.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
24,025,643 10 9½	1,594,039 0 11	21,898,844 19 5	532,759 10 5½	24,025,643 10 9½
15,064,425 0 3¼	1,083,534 17 3¾	13,678,835 18 5	302,054 4 6½	15,064,425 0 3¼
7,508,305 15 6¼	162,413 18 6¾	7,135,217 7 4	210,674 9 7½	7,508,305 15 6¼
4,768,387 1 7¼	224,028 10 5	4,482,911 12 0	61,446 19 2¼	4,768,387 1 7¼
1,708,725 6 2¼	938,168 19 7½	455,000 0 0	315,556 6 6¾	1,708,725 6 2¼
5,816 14 10	108 15 11	5,643 14 9	64 4 2	5,816 14 10
516,729 6 2	277,295 8 0½	162,000 0 0	77,433 18 1½	516,729 6 2
5,562 14 11	.. ..	5,562 14 11	.. ..	5,562 14 11
93,504 18 4	.. ..	93,504 18 4	.. ..	93,504 18 4
53,697,100 8 7½	4,279,589 10 9½	47,917,521 5 2	1,499,989 12 8	53,697,100 8 7½
60,000 0 0	.. ..	60,000 0 0	.. ..	60,000 0 0
35,000 0 0	.. ..	35,000 0 0	.. ..	35,000 0 0
71,838 13 2	.. ..	71,838 13 2	.. ..	71,838 13 2
53,863,939 1 9½	4,279,589 10 9½	48,084,359 18 4	1,499,989 12 8	53,863,939 1 9½

PUBLIC EXPENDITURE

Of the UNITED KINGDOM, exclusive of the Sums applied to the Reduction of the NATIONAL DEBT in the Year ended 5th January, 1842.

EXPENDITURE.	£. s. d.	£. s. d.
Payments out of the Income in its Progress to the Exchequer.		
Charges of Collection	3,582,639 7 11	
Other Payments	696,950 2 10½	
Total Payments out of the Income, in its progress to the Exchequer		4,279,589 10 9½
Funded Debt.		
Interest and Management of the Permanent Debt	24,476,904 9 9	
Terminable Annuities	4,076,775 12 10	
Total Charge of the Funded Debt, exclusive of the Interest on Donations and Bequests	28,553,680 2 7	
Unfunded Debt.		
Interest on Exchequer Bills	896,464 12 8	
		[29,450,144 15 3
Civil List	389,022 3 11	
Annuities and Pensions for Civil, Naval, Military, and Judicial Services, charged by the various Acts of Parliament on the Consolidated Fund	620,514 8 5	
Salaries and Allowances	246,079 3 7	
Diplomatic Salaries and Pensions	185,770 0 10	
Courts of Justice	736,994 8 9	
Miscellaneous Charges on the Consolidated Fund	232,734 9 7	
		2,411,114 15 1
Army	6,418,421 16 4	
Navy	6,489,074 0 0	
Ordnance	1,815,132 0 0	
Miscellaneous, chargeable upon the Annual Grants of Parliament	2,927,660 2 5	
Insurrection in Canada	117,153 7 8	
China Expedition	400,000 0 0	
		18,167,441 6 5
Money paid to the Bank of England to supply Deficiencies on the Balance reserved for Unclaimed Dividends, per Act 56 Geo. III. c. 97.		157,028 3 8
		54,465,318 11 2½

DISPOSITION OF GRANTS.

An Account showing how the MONIES given for the SERVICE of the UNITED KINGDOM of GREAT BRITAIN and IRELAND for the Year 1841, have been disposed of; distinguished under their several Heads; to the 5th day of January, 1842.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
NAVY	6,805,351	11	2	4,975,000	0	0
FORCES	6,587,834	0	0	5,028,568	16	4
ORDNANCE	2,143,547	0	0	1,089,174	0	0
On Account of the Expenses of the Expedition to China	400,000	0	0	400,000	0	0
To defray the Charge of the British Museum; for the year ending on the 25th March 1842	31,786	0	0	23,839	10	0
To defray the Expenses of the Service in Canada, consequent upon the late Insurrection in that Colony	108,000	0	0	4,718	14	1
To defray the Charge of the Civil Establishment of the Bahama Islands, and of the Lighthouses there; to the 31st March 1842	5,860	0	0	3,959	9	11
To defray the Charge of the Civil Establishment of the Bermudas; to the 31st March 1842	4,049	0	0	1,706	4	7
To defray the Charge of the Civil Establishment of Prince Edward's Island; to the 31st March 1842	3,070	0	0	1,574	19	9
To defray the Charge of the Civil Establishments on the Western Coast of Africa; to the 31st March 1842	10,880	0	0	..	..	
To defray the Expense of the Settlement of Western Australia; to the 31st March 1842	7,099	0	0	6	17	11
To defray the Charge of the Ecclesiastical Establishment of the British North American Provinces; to the 31st March 1842	11,590	0	0	..	..	
To defray the Charge of the Indian Department in Lower and Upper Canada; to the 31st March 1842	18,895	0	0	..	..	

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray the Charge of the Salaries of the Governors, Lieutenant-Governors, and others in her Majesty's West-India Colonies; to the 31st March 1842 . . .	18,667	0	0	3,149	12	7
To defray the Expense of the Civil Establishment of Heligoland; to the 31st March 1842	1,023	0	0	..	..	
To defray the Charge of the Civil Establishment at Saint Helena, and of Pensions and Allowances to the Civil and Military Officers of the East-India Company's late Establishment in that Island; to the 31st March 1842	11,500	0	0	6,274	17	6
To defray the Expense of the Establishment at Sable Island, Nova Scotia, for the Relief of Shipwrecked Persons; to the 31st March 1842	400	0	0	..	..	
Towards defraying the Expenses of the Settlement of New Zealand; to the 31st March 1842	6,000	0	0	1,608	8	4
Towards defraying the Charge of the Settlement at Port Essington; to the 31st March 1841	4,423	0	0	4,423	0	0
To defray the Charge of the Civil Establishment at the Falkland Islands; to the 31st March 1842	2,000	0	0	1,000	0	0
To defray the Charge of Civil Contingencies; to the 31st March 1842 . .	120,000	0	0	94,306	18	0
To defray, to the 31st March 1842, the Expense of Works and Repairs of Public Buildings, and for Furniture, &c., for various Public Departments, for certain Charges for Lighting and Watching, and for Rates and Taxes; also for the Maintenance and Repairs of Royal Palaces and Works in the Royal Gardens, heretofore charged upon the Civil List .	103,309	0	0	50,000	0	0
To defray the Expense of Works and Repairs at the Harbour of Kingstown; to 31st March 1842	10,000	0	0	7,000	0	0
To defray the Expense of the Improvement of the Holyhead and Liverpool Road, Holyhead Harbour, and the Shrewsbury and Holyhead Road; to the 31st March 1842	5,361	0	0	..	..	
To defray the Expense of Fittings and Works at the New Buildings at the British Museum; to the 31st March 1842	42,404	0	0	3,750	13	1
To defray the Expense of providing temporary Accommodation for the Houses of Parliament, Committee-rooms, Offices, and temporary Official Residences for the Speaker of the House of Commons, and						

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
other Officers of that House; to the 31st March 1842	8,369	0	0	4,000	0	0
To defray, to the 31st March 1842, the Expense of the Works at the New Houses of Parliament	50,000	0	0	30,000	0	0
For the Completion of the Model Prison .	30,000	0	0	17,477	13	9
To complete the Buildings of the General Prison at Perth	5,000	0	0	..	..	
For the Expenses of the Museum of Economic Geology; to the 31st March 1842	1,689	0	0	1,200	0	0
To defray, in the year 1841, the Expense of erecting a Hall for the use of the General Assembly of the Church of Scotland at Edinburgh	5,000	0	0	..	..	
To defray the Charge of Salaries and Expenses of the Two Houses of Parliament, and of Allowances to Retired Officers of the Two Houses; to the 31st March 1842	58,000	0	0	8,998	13	9
To pay the Salaries, Contingent and other Expenses of the Department of her Majesty's Treasury; to the 31st March 1842	52,600	0	0	35,006	14	5
To pay the Salaries and Expenses of the Office of her Majesty's Secretary of State for the Home Department; to the 31st March 1842	21,500	0	0	11,434	17	4
To pay the Salaries and Expenses in the Department of her Majesty's Secretary of State for Foreign Affairs; and also of the Foreign Messengers attached to the Department; to the 31st March 1842	88,000	0	0	44,845	2	8
To pay the Salaries and Expenses in the Department of her Majesty's Secretary of State for the Colonies; to the 31st March 1842	20,000	0	0	6,058	0	3
To pay the Salaries and Expenses in the Departments of her Majesty's most Honourable Privy Council, and Committee of Privy Council for Trade; to the 31st March 1842	31,500	0	0	23,662	6	10
For the Salary of the Lord Privy Seal; to the 31st March 1842	2,000	0	0	853	5	2
To defray the Charge of the Office of her Majesty's Paymaster-General; to the 31st March 1842	34,947	0	0	25,473	10	0
To pay the Salaries and Contingent Expenses in the Departments of the Comptroller-General of the Exchequer, the Paymasters of Exchequer-bills, and the Paymaster of Civil Services, to the 31st March 1842	17,570	0	0	10,21	14	1
To defray the Charge of the Salaries and Allowances granted to certain Professors						

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
in the Universities of Oxford and Cambridge; to the 31st March 1842 . . .	2,006	0	0	2,006	0	0
To defray the Charge of the Salaries of the Commissioners of the Insolvent Debtors' Court, of their Clerks, and the contingent Expenses of the Court and Office, to the 31st March 1842; also of the Expenses attendant upon the Circuit	13,358	0	0	6,679	0	0
To defray the Expense of the General Penitentiary at Milbank; to the 31st March 1842	19,444	0	0	11,277	0	0
To defray the Expense of the Prison for Juvenile Offenders at Parkhurst in the Isle of Wight; to the 31st March 1842	6,185	0	0	..	.	
To defray the Salaries and Expenses of the State Paper Office; to the 31st March 1842	2,282	0	0	70	13	8
To defray the Salaries and Expenses of the Ecclesiastical Commissioners for England; to the 31st March 1842 . .	3,000	0	0	755	6	0
To defray the Salaries and Expenses of the Commissioners for carrying into Execution the Act for the Amendment of the Laws relating to the Poor in England and Wales, and the Act for the Relief of the Destitute Poor in Ireland; to the 31st March 1842	58,155	0	0	43,451	10	7
To pay, to the 31st March 1842, the Salaries and Incidental Expenses of the Commissioners appointed on the part of her Majesty, under the Treaties with Foreign Powers, for preventing the illegal Traffic in Slaves	16,500	0	0	10,000	0	0
To defray, to the 31st March 1842, the Charge of the Salaries of her Majesty's Consuls-General, Consuls and Vice-Consuls abroad, and of the Superintendents of Trade in China; also of the contingent Expenses of such Consuls-General, Consuls and Vice-Consuls, and Superintendents of Trade in China	113,592	0	0	77,252	6	7
To defray the Salaries and Expenses of the Inspectors and Superintendents of Factories; to the 31st March 1842 . .	9,000	0	0	4,520	17	7
To defray the Salaries and Expenses of the Inspectors of Prisons; to the 31st March 1842	6,200	0	0	1,424	12	0
To defray the Expenditure of the Mint; to the 31st March 1842 . . .	31,400	0	0	..	..	
To defray the Expenses of the Commission respecting the Employment of Children in Mines and Collieries; to the 31st March 1842	5,000	0	0	4,700	0	0

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
To defray the Charge of Allowances and Compensations to Persons formerly employed in the Public Offices or Departments, or in the Public Service; to the 31st March 1842	82,000	0	0	42,659	17	9
To enable her Majesty to grant Relief, to the 31st March 1842, to Toulonese and Corsican Emigrants, Dutch Naval Officers' Widows, St. Domingo Sufferers, American Loyalists, and others who have heretofore received Allowances from her Majesty, and who, for Services performed or Losses sustained in the British Service, have special Claims on her Majesty's justice and liberality	6,500	0	0	1,900	0	0
To defray the Expense of the National Vaccine Institution; for the year 1841 .	1,850	0	0	1,850	0	0
Towards the Support of the Refuge for the Destitute; for the year 1841 . .	3,000	0	0	3,000	0	0
To defray the Expense of confining and maintaining Criminal Lunatics in Bethlem Hospital; to the 31st March 1842 .	3,390	0	0	..	..	
To pay, to the 31st March 1842, the usual Allowances to Protestant Dissenting Ministers in England, poor French Refugee Clergy, poor French Refugee Laity, and sundry small charitable and other Allowances to the poor of St. Martin's-in-the-Fields, and others	3,900	0	0	..	..	
To defray the Charge of her Majesty's Foreign and other Secret Services; to the 31st March 1842	39,200	0	0	20,023	1	0
To defray the Expense of providing Stationery, Printing, and Binding for the several Departments of Government in England, Scotland, Ireland, and the Colonies; and for providing Stationery, Binding, Printing, and Paper for Printing, for the Two Houses of Parliament, including the Expense of the Stationery Office; to the 31st March 1842	207,494	0	0	108,365	13	7
To defray the Expense of Law Charges; to the 31st March 1842 . . .	28,000	0	0	19,000	0	0
To defray the Expense of the Convict Hulk Establishment at Home and at Bermuda; to the 31st March 1842 . . .	78,880	0	0	35,122	18	8
To defray the Charge of maintaining Convicts at New South Wales and Van Dieman's Land; to the 31st March 1842 .	265,000	0	0	..	..	
To defray Expenses for the support of captured Negroes and liberated Africans, under the Acts for the Abolition of the Slave Trade; to the 31st March 1842 .	25,000	0	0	25,000	0	0
To pay the Salaries of the Persons em-						

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
ployed in the Care and Arrangement of the Public Records; to the 31st March 1842: and the Compensations to Keepers of Records, and others whose Offices have been abolished	10,338	0	0	3,145	19	6
For Public Education in Great Britain .	30,000	0	0	4,000	0	0
To defray the Expenses of the University of London; to the 31st March 1842 .	5,320	0	0	2,420	6	0
To defray the Expenses of the School of Design; for the year 1841-2 . .	1,590	0	0	750	0	0
To pay, to the 31st March 1842, the Allowances and Expenses of the Barristers employed in revising Lists of Voters under the Act to Amend the Representation of the People in England and Wales	29,000	0	0	27,759	16	1
To defray, to the 31st March 1842, the Expenses incurred by Sheriffs formerly paid from Civil Contingencies; also to make good the Deficiency of the Fees of the Office of the Queen's Remembrancer in the Exchequer, and to pay the Salaries and ancient Allowances of certain Officers of the Court of Exchequer . . .	12,300	0	0	4,223	1	10
To defray, in the year 1841, certain Charges heretofore paid out of County Rates .	147,000	0	0	94,851	8	9
For the Payment of the Subsistence of the Polish Refugees; to the 31st March 1842	12,000	0	0	4,645	15	2
To enable the Trustees of the British Museum to purchase certain Manuscripts and Collections of Coins . . .	7,080	0	0	3,540	0	0
To pay Compensation to certain British Subjects for Losses sustained by the Confiscation of Book Debts and Merchandize on shore by the Spanish Government in the year 1804 . . .	56,855	0	0	56,855	0	0
Towards defraying the Expense of Steam Communication to India by way of the Red Sea; to the 31st March 1842 .	50,000	0	0	25,000	0	0
To defray the Charge of the Salaries, Allowances, and Contingencies of the Stipendiary Justices in the West Indies, Mauritius, and Cape of Good Hope; to the 31st March 1842	58,700	0	0	26,417	0	8
To defray such Expenses as her Majesty may incur in aiding the Local Legislatures in providing for the Religious and Moral Instruction of the Emancipated Negro Population	30,000	0	0	28,475	3	8
To defray a Portion of the Charge of the Colonial Land and Emigration Board, and also the Salaries of the Agents for Emigration; to the 31st March 1842 . .	6,652	0	0	2,572	6	6

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
To defray the Expenses of the Expedition to the Niger; to the 31st March 1842 .	39,974	0	0	10,000	0	0
To enable her Majesty to issue Money in aid of Local Subscriptions, towards defraying the Expense of forming Public Walks in the neighbourhood of large Towns	10,000	0	0	..	..	
Towards defraying the Expense of the Establishment of Schools of Design in Provincial Towns, in aid of Local Subscriptions for that purpose . . .	10,000	0	0	5,000	0	0
For the Purchase of Pictures to the National Gallery, in the year 1841 . .	3,500	0	0	1,750	0	0
Towards defraying the Expense of a Lighthouse to be erected on Morant Point, Jamaica; also on account of a Lighthouse to be erected at Bermuda . .	4,500	0	0	..	..	
Towards defraying the Expenses to be incurred for the Census of the Population of Ireland	20,000	0	0	9,566	12	8
To defray, to the 31st March 1842, Law Expenses, Grants to Scottish Universities, and other Charges formerly paid out of the Hereditary Revenues in Scotland, and not provided for out of her Majesty's Civil List, nor out of the Consolidated Fund	74,300	0	0	34,705	9	4
For the Repair and Improvement of the Caledonian Canal	25,000	0	0	..	..	
Towards the discharge of the Balance remaining due to the late H. T. Sampayo, Conde de Povoa, on the final settlement of his Accounts for Supplies of Money and Provisions to the British Forces in the Peninsula during the War from 1808 to 1814	37,667	0	0	37,667	0	0
To enable the Lord-Lieutenant of Ireland to issue the Sums necessary for the Advancement of Education in Ireland; to the 31st March 1842	50,000	0	0	..	..	
To defray the Expense of the Foundling Hospital in Dublin; to the 31st March 1842	9,586	0	0	4,929	1	3
To defray the Expense of the House of Industry in Dublin, the Lunatic Department, the Four General Hospitals, and the Dispensary attached; to the 31st March 1842	15,693	0	0	7,000	0	0
Towards defraying the Expense of the Female Orphan House, Circular-road, Dublin; to the 31st March 1842 . .	1,000	0	0	800	0	0
Towards defraying the Expense of the Westmoreland Lock Hospital; to the 31st March 1842	2,500	0	0	1,780	1	11

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
Towards defraying the Expense of the Lying-in Hospital in Dublin; to the 31st March 1842	1,000	0	0	1,000	0	0
Towards defraying the Expense of Doctor Stevens' Hospital in Dublin; to the 31st March 1842	1,500	0	0	1,140	12	0
Towards defraying the Expense of the Fever Hospital and House of Recovery, Cork-street, Dublin; to the 31st March 1842	3,800	0	0	3,200	0	0
Towards defraying the Expense of the Hospital for Incurables; to the 31st March 1842	500	0	0	500	0	0
To defray the Charge of the Roman Catholic College; to the 31st March 1842 .	8,928	0	0	6,696	0	0
Towards defraying the Expense of the Royal Irish Academy; to the 31st March 1842	300	0	0	300	0	0
Towards defraying the Expense of the Royal Hibernian Academy; to the 31st March 1842	300	0	0	150	0	0
To defray the Salaries and Expenses of the Commissioners of Charitable Donations and Bequests in Ireland; to the 31st March 1842	700	0	0	350	0	0
Towards defraying the Salaries and Expenses of the Royal Belfast Academical Institution; to the 31st March 1842 .	1,950	0	0	975	0	0
To defray the Expense of Repairing and Maintaining the several Public Buildings in the Department of the Commissioners of Public Works in Ireland; to the 31st March 1842; also for Repairs to Donaghadee Harbour . . .	16,500	0	0	11,902	0	0
To pay the Salaries and Expenses of the Departments of the Chief Secretary to the Lord-Lieutenant of Ireland, in Dublin and London, and of her Majesty's Privy Council in Ireland; also the Expense of Printing for the Public Offices in Ireland; to the 31st March 1842 .	25,085	0	0	10,068	1	11
To defray the Charge of the Salaries for the Officers and Attendants of the Household of the Lord-Lieutenant of Ireland; to the 31st March 1842 . . .	12,464	0	0	10,308	6	4
To defray the Charge of the Office of the Paymaster of Civil Services in Ireland; to the 31st March 1842	4,739	0	0	3,440	7	8
To defray the Charge for publishing Proclamations and printing the Statutes in Ireland; to the 31st March 1842 . .	4,150	0	0	95	1	8
odefray the Expense of Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland; to the 31st March 1842	34,907	0	0	17,453	10	0

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
To defray the Charge of Criminal Prosecutions and other Law Charges in Ireland; to the 31st March 1842 . . .	102,000	0	0	75,582	7	10
Towards defraying the Charge of the Public Offices and Metropolitan Police of Dublin; to the 31st March 1842 . . .	38,100	0	0	23,270	0	0
To defray the Charge of the Board of Public Works in Ireland; to the 31st March 1842	2,784	0	0	1,800	0	0
To defray the Expense of the Townland Survey of Ireland; to the 31st March 1842	7,000	0	0	7,000	0	0
To defray the Charge of the Salaries and Expenses of the Commissioners for the Improvement of the River Shannon; to the 31st March 1842	2,919	0	0	2,282	0	0
	18,949,740	11	2	12,913,711	8	6
To pay off and discharge any Exchequer Bills charged on the Aids or Supplies of the Year 1841	21,626,350	0	*0	10,080,300	0	0
	40,576,090	11	2	22,994,011	8	6

* Of this Sum, £.1,834,100, having been subscribed to be funded, will not be required.

PAYMENTS FOR OTHER SERVICES,

NOT BEING PART OF THE SUPPLIES GRANTED FOR THE SERVICE OF THE YEAR.

	PAID.			Estimated further Payments.		
	£.	s.	d.	£.	s.	d.
Expenses in the Office of the Commissioners for Building additional Churches, per Act 58 Geo. III. c. 45. . .	6,000	0	0	..	..	
For Interest on Exchequer Bills, charged on the Aids or Supplies . . .	409,000	0	0	330,394	9	11
	415,000	0	0	330,394	9	11
				415,000	0	0
TOTAL Services not voted				745,394	9	11
AMOUNT of Sums voted				40,576,090	11	2
TOTAL Grants and other Services . . .				41,321,485	1	1

WAYS AND MEANS.

FOR ANSWERING THE FOREGOING SERVICES:—

	£.	s.	d.
Sums to be brought from the Consolidated Fund, per Act 4 Vict. c. 4.	8,000,000	0	0
Ditto Ditto 4 & 5 Vict. c. 53. .	6,200,000	0	0
Duty on Sugar, per Act 4 & 5 Vict. c. 29.	3,000,000	0	0
Surplus of Ways and Means, per Act 4 & 5 Vict. c. 53. .	47,308	18	0
To be raised by Money Subscriptions to the Funding of Exchequer Bills, or by Sale of Stock in Three per Cent. Consols, or by the Issue of Exchequer Bills . . .	2,467,432	0	0
	19,714,740	18	0
Exchequer Bills, voted in Ways and Means, viz.:—			
Per Act 4 Vict. c. 19. . . . £.11,000,000			
Ditto 5 Vict. c. 11. . . . 10,626,350			
	21,626,350	0	*0
	41,341,090	18	0
TOTAL Sums and other Services not voted . .	41,321,485	1	1
SURPLUS of WAYS and MEANS	19,605	16	11

* Of this Sum, £.1,834,100 will not be raised, in consequence of a similar sum of Exchequer Bills in Supply having been Funded.

UNFUNDED DEBT.

An Account of the Unfunded Debt of Great Britain and Ireland, and of the Demands outstanding on 5th January 1842.

	PROVIDED.			UNPROVIDED.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Exchequer Bills	..	..		18,293,000	0	0	18,293,000	0	0
Sums remaining unpaid, charged upon Aids granted by Parliament	6,379,419	2	8	..	..		6,379,419	2	8
Total Unfunded Debt and Demands outstanding	6,379,419	2	8	18,293,000	0	0	24,672,419	2	8
Ways and Means	6,800,358	3	7						
Surplus	420,939	0	11						
Deduct the Amount of Exchequer Bills paid off out of Ways and Means, Money Grants, but which it is not proposed to replace by the issue of Exchequer Bills	309,600	0	0						
Surplus of Ways and Means remaining at the disposal of Parliament	111,339	0	11						
Exchequer Bills to be issued to complete the charge upon the Consolidated Fund at 5th January 1842				6,606,832	6	7	6,606,832	6	7

PUBLIC

Of Great Britain and Ireland, and the

DEBT.

	1. CAPITALS.	2. CAPITALS transferred to the Commissioners.	3. CAPITALS UNREDEEMED.
GREAT BRITAIN.*	£. s. d.	£. s. d.	£. s. d.
Debt due to the South Sea Company . . at 3 per cent.	3,662,784 8 6½	- - -	3,662,784 8 6½
Old South Sea Annuities ditto.	3,497,870 2 7	- - -	3,497,870 2 7
New South Sea Annuities ditto.	2,460,830 2 10	- - -	2,460,830 2 10
South Sea Annuities, 1751 ditto.	523,100 0 0	- - -	523,100 0 0
Debt due to the Bank of England . . . ditto.	11,015,100 0 0	- - -	11,015,100 0 0
Bank Annuities created in 1726 . . . ditto.	826,636 0 0	1,295 18 3	825,340 1 9
Consolidated Annuities . ditto.	369,770,368 17 10¾	668,792 4 7	369,101,576 13 3¾
Reduced Annuities . . ditto.	126,652,035 5 8	967,281 5 6	125,684,754 0 2
Total at 3 per cent. . .	518,408,724 15 5¾	1,637,369 8 4	516,771,355 9 1¾
Annuities at 3½ per cent. anno 1818.	9,897,035 17 9	1,516 6 11	9,895,519 10 10
Reduced 3½ per cent. Annuities .	66,433,816 13 5	34,414 0 1	66,399,402 13 4
New 3½ per cent. Annuities . .	145,051,040 13 7	115,855 4 11	144,935,185 8 8
New 5 per cent. Annuities . .	430,076 3 2	- - -	430,076 3 2
Total, Great Britain . .	740,220,694 5 4¾	1,789,155 0 3	738,431,539 5 1¾
IN IRELAND.			
Irish Consolidated Annuities, 3 per cent.	3,284,013 6 5	- - -	3,284,013 6 5
Irish Reduced Annuities, ditto .	115,016 12 5	- - -	115,016 12 5
3½ per cent. Debentures and Stock .	14,606,121 6 2	- - -	14,606,121 6 2
Reduced 3½ per cent. Annuities .	912,958 14 3	- - -	912,958 14 3
New 3½ per cent. Annuities . .	12,546,666 19 2	- - -	12,546,666 19 2
New 5 per cent. Annuities . .	3,673 11 2	- - -	3,673 11 2
Debt due to the Bank of Ireland, at 3½ per cent.	2,630,769 4 8	- - -	2,630,769 4 8
Total, Ireland . . .	34,099,219 14 3	- - -	34,099,219 4 3
Total, United Kingdom .	774,319,913 19 7¾	1,789,155 0 3	772,530,758 19 4¾

The Act 10 Geo. IV. c. 27, which came into operation at the 5th July, 1829, enacts, "That the Sum thenceforth annually applicable to the Reduction of the National Debt of the United Kingdom, shall be the Sum which shall appear to be the amount of the whole actual annual surplus Revenue, beyond the Expenditure of the said United Kingdom, and the following Sums have been accordingly received by the Commissioners, to be applied to the Reduction of the said Debt, including Sums on account of Donations and Bequests, viz.:—

ON ACCOUNT OF

	The Sinking Fund.	Donations and Bequests.
Applicable between	£. s. d.	£. s. d.
5th April and 5th July, 1841	- - -	755 9 11
5th July and 10th October, 1841	- - -	3,397 16 1
10th October, 1841, and 5th January, 1842 . . .	- - -	825 0 4
5th January and 5th April, 1842	- - -	3,352 16 1
	Nil.	8,331 2 5

* The whole of the Debt created by the Act 5 Vict. c. 8, amounting to 6,171,195*l.* 16*s.* 7*d.*, Three per Cent. Consolidated Annuities, is included in this Account.

FUNDED DEBT

CHARGE thereupon, at the 5th January, 1842.

CHARGE.

	IN GREAT BRITAIN.	IN IRELAND.	TOTAL ANNUAL CHARGE.
	£. s. d.	£. s. d.	£. s. d.
Due to the Public Creditor. — Annual Interest on Unredeemed Capital	23,267,698 4 9	1,176,532 12 9½	
Long Annuities, expire 1860	1,293,947 4 6	489 18 10	
Annuities per 4 Geo. 4, c. 22, do. 1867	585,740 0 0	- - -	
Annuities per 10 Geo. 4, c. 24, and 3 Will. 4, c. 14, expire at various periods	1,315,090 12 9	- - -	
Payable at the National Debt Office. — Life Annuities per 48 Geo. 3, c. 142, 10 Geo. 4, c. 24, and 3 Will. 4, c. 14.	840,777 10 6	- - -	
Tontines and other Life Annuities per various Acts. — English	19,845 19 3	- - -	
Tontines and other Life Annuities per various Acts. — Irish	34,230 8 7	6,823 7 3	
	27,357,330 0 4	1,183,845 18 10½	
Management	160,282 12 9½	- - -	
Total Annual Charge	27,517,612 13 1½	1,183,845 18 10½	28,701,458 12 0

ABSTRACT.

*** *Shillings and Pence omitted.*

	CAPITALS.	CAPITALS transferred to the Commissioners.	CAPITALS unredeemed.	ANNUAL CHARGE.		
				Due to the Public Creditor.	Management.	TOTAL.
	£.	£.	£.	£.	£.	£.
Great Britain.	740,220,694	1,789,155	738,431,539	27,357,330	160,282	
Ireland	34,099,219	- -	34,099,219	1,183,845	- -	
Total	774,319,913	* 1,789,155	772,530,758	28,541,175	160,282	28,701,458

	£. s. d.
* On account of Donations and Bequests	279,475 7 8
Do. of Stock unclaimed 10 years or upwards	420,379 12 7
Do. of Unclaimed Dividends	1,089,300 0 0
	1,789,155 0 3

TRADE OF THE UNITED KINGDOM.

An Account of the Value of the Imports into, and of the Exports from, the United Kingdom of Great Britain and Ireland during each of the three Years ending the 5th of January, 1842:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS, into the United Kingdom.	VALUE OF EXPORTS from the UNITED KINGDOM.			VALUE of the Produce and Manufactures of the United Kingdom.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandize.	TOTAL EXPORTS.	
	£.	£.	£.	£.	£.
1840 . . .	62,004,000	97,402,726	12,795,990	110,198,716	53,233,580
1841 . . .	67,432,964	102,705,372	13,774,306	116,479,678	51,406,430
1842 . . .	64,377,962	102,180,517	14,723,151	116,903,668	51,634,623

TRADE OF GREAT BRITAIN WITH FOREIGN PARTS.

An Account of the Value of the Imports into, and of the Exports from, Great Britain, during each of the Three Years ending the 5th of January, 1842: exclusive of the trade with Ireland:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom exported from Great Britain, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS into Great Britain.	VALUE OF EXPORTS from GREAT BRITAIN.			VALUE of the Produce and Manufactures of the United Kingdom.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandize.	TOTAL EXPORTS.	
	£.	£.	£.	£.	£.
1840 . . .	60,346,066	96,947,1 2	12,779,057	109,726,179	52,701,509
1841 . . .	65,873,411	102,263,512	13,765,618	116,029,130	50,896,556
1842 . . .	62,684,587	101,780,753	14,714,635	116,495,388	51,217,658

NEW VESSELS BUILT.—Number of VESSELS, with the Amount of their TONNAGE, that were Built and Registered in the several Ports of the BRITISH EMPIRE, in the Years ending the 5th January 1840, 1841, and 1842, respectively.

—	Year ending 5th Jan. 1840.		Year ending 5th Jan. 1841.		Year ending 5th Jan. 1842.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom	1,217	181,301	1,370	211,289	1,111	159,578
Isles of Guernsey, Jersey, and Man .	61	5,602	78	8,775	81	8,731
British Plantations	703	109,025	771	143,288	549	114,505
TOTAL	1,981	295,928	2,219	363,352	1,741	282,814

Note.—The Account rendered for the Plantations for the Year ending 5th January 1841, is now corrected; and as several Returns for that part of the Empire are not yet received for the last Year, a similar correction will be necessary when the next Account is made up.

VESSELS REGISTERED.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS usually employed in Navigating the same, that belonged to the several Ports of the BRITISH EMPIRE, on the 31st of December, in the Years 1839, 1840, and 1841, respectively.

—	On 31st Dec. 1839.			On 31st Dec. 1840.			On 31st Dec. 1841.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
United Kingdom . . .	21,037	2,531,005	151,790	21,983	2,724,107	160,509	22,747	2,886,626	167,117
Isles of Guernsey, Jersey, & Man	633	39,630	4,473	671	44,155	5,018	714	48,773	5,224
British Plantations . . .	6,075	497,798	35,020	6,308	543,276	35,813	6,591	577,081	37,857
TOTAL . . .	27,745	3,068,433	191,283	28,962	3,311,538	201,340	30,052	3,512,480	210,198

NAVIGATION OF THE UNITED KINGDOM—*continued.*

VESSELS EMPLOYED IN THE FOREIGN TRADE.—An Account of the Number of VESSELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS employed in Navigating the same (including their repeated Voyages), that entered Inwards and cleared Outwards at the several Ports of the UNITED KINGDOM, from and to Foreign Parts, during each of the Three Years ending 5th January 1842.

SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM, From Foreign Parts.

YEARS ending 5th January.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1840 . . .	17,635	3,101,650	170,339	10,326	1,331,365	79,550	27,961	4,433,015	249,889
1841 . . .	17,883	3,197,501	172,404	10,198	1,460,294	81,295	28,081	4,657,795	253,699
1842 . . .	18,525	3,361,211	178,696	9,527	1,291,165	73,634	28,052	4,652,376	252,330

SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM. To Foreign Parts.

	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1840 . . .	17,066	3,096,611	173,806	10,698	1,398,096	79,818	27,764	4,494,707	253,624
1841 . . .	17,633	3,292,984	181,580	10,440	1,488,888	81,672	28,073	4,781,872	263,252
1842 . . .	18,464	3,429,279	186,696	9,786	1,336,892	75,694	28,250	4,766,171	262,390

LIST OF THE GENERAL ACTS

Passed in the FOURTH *Session of the* THIRTEENTH *Parliament of the United Kingdom of Great Britain and Ireland.—4° & 5° Vict.*

IV & V VICT.

I. AN Act to settle an Annuity on Lord *Keane*, and the Two next surviving Heirs Male of the Body of the said Lord *Keane* to whom the Title of Lord *Keane* shall descend, in consideration of his great and Brilliant Services.

II. An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters.

III. An Act for the Regulation of Her Majesty's Royal Marine Force while on shore.

IV. An Act to apply the Sum of Eight Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and forty-one.

V. An Act to facilitate the Recovery of Arrears of Tithe Compositions in *Ireland*, vested in Her Majesty under the Provisions of an Act of the First and Second Years of Her present Majesty, for abolishing Compositions for Tithes in *Ireland*, and for substituting Rent-charges in lieu thereof.

VI. An Act to continue, until the Fourth day of *August*, One thousand eight hundred and forty-two, and to the End of the next Session of Parliament, the several Acts for regulating Turnpike Roads in *Ireland*, which will expire at or before the end of the present Session of Parliament, or at or before the end of the Session of Parliament next after the Fourth Day of *August* One thousand eight hundred and forty-one; and to amend the Acts for regulating Turnpike Roads in *Ireland*.

VII. An Act to amend the Acts of the last Session for taking Account of the Population.

VIII. An Act to reduce the Duty on Rum and Rum Shrub, the Produce of and imported from certain *British* Possessions in the *East Indies* into the United Kingdom.

IX. An Act for removing Doubts as to the continuance of certain Local Turnpike Acts.

X. An Act for extending to the County of the City of *Dublin* the Provisions of an Act passed in the Nineteenth and Twentieth Years of His late Majesty King *George* the Third, in *Ireland*, intituled *An Act to prevent the detestable Practices of houghing Cattle, burning of Houses, Barns, Haggards, and Corn, and for other Purposes*, so far as relates to burning of Houses.

XI. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and forty-two; and for the Relief of Clerks to Attornies and Solicitors in certain Cases.

XII. An Act to enable Her Majesty's Commissioners of Woods to make a new Street from *Coventry Street*, *Piccadilly*, to *Long Acre*, and for other Improvements in the Metropolis.

XIII. An Act to authorize the Advance of a Sum of Money out of the Consolidated Fund on account of the Colony of *South Australia*.

XIV. An Act to make good certain Contracts which have been or may be entered into by certain Banking and other Copartnerships.

XV. An Act for the Erection at *Edinburgh* of a Monument to the late *Sir Walter Scott*.

XVI. An Act to enable the Commissioners of Wide Streets to sell, and Her Majesty to purchase, certain Hereditaments in the City of *Dublin* on the North Bank of the River *Anna Liffey*.

XVII. An Act to abolish Arrest in personal Actions commenced by Process of Subpœna at the Law Side of the Court of Exchequer in *Ireland*.

XVIII. An Act to make further Provision for facilitating and completing the Distribution and Payment of Compensation for Slaves upon the Abolition of Slavery.

XIX. An Act for raising the Sum of Eleven Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and forty-one.

XX. An Act to alter and amend certain Laws relating to the Collection and Management of the Duties of Excise.

XXI. An Act for rendering a Release as effectual for the Conveyance of Freehold Estates as a Lease and Release by the same Parties.

XXII. An Act to remove Doubts as to the Liability of Lords and Peers of Parliament to Punishment in certain cases of Felony.

XXIII. An Act to suspend, until the Thirty-first Day of *August* One thousand eight hundred and forty-two, the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.

XXIV. An Act to amend an Act to grant certain Powers to Heirs of Entail in *Scotland*, and to authorize the Sale of Entailed Lands for the Payment of certain Debts affecting the same.

XXV. An Act to amend and continue for One Year, and to the end of the then next Session of Parliament, the several Acts relating to the Importation and keeping of Arms and Gunpowder in *Ireland*.

XXVI. An Act to continue Compositions for Assessed Taxes until the Fifth Day of *April* One thousand eight hundred and forty-three.

XXVII. An Act to enable Her Majesty's Commissioners of Woods to complete the Contract for the Sale of *York House*, and to purchase certain Lands for a Royal Park.

XXVIII. An Act to prevent Plaintiffs in certain frivolous Actions from obtaining their full costs of Suit.

XXIX. An Act for granting to Her Majesty, until the Fifth Day of *July* One thousand eight hundred and forty-two, certain Duties on Sugar imported into the United Kingdom, for the Service of the Year One thousand eight hundred and forty-one.

XXX. An Act to authorize and facilitate the completion of a Survey of *Great Britain, Berwick upon Tweed*, and the *Isle of Man*.

XXXI. An Act to provide for the Surrender of Premises formerly used for Court Houses, but no longer used for that purpose, in *Ireland*.

XXXII. An Act to amend an Act to extend the Practice of Vaccination.

XXXIII. An Act to amend the Acts for Regulating Turnpike Roads in *England*, so far as they relate to certain Exemptions from Toll.

XXXIV. An Act to explain and amend an Act of the Fifth Year of King *George* the Fourth, for repealing certain Duties on Law Proceedings in the Courts in *Great Britain* and *Ireland* respectively, and for better protecting the Duties payable upon stamped Vellum, Parchment, or Paper.

XXXV. An Act for the Commutation of certain Manorial Rights in respect of Lands of Copyhold and Customary Tenure, and in respect of other Lands subject to such Rights, and for facilitating the Enfranchisement of such Lands, and for the Improvement of such Tenure.

XXXVI. An Act to amend an Act of the Fifth and Sixth Years of King *William* the Fourth, "for the more easy Recovery of Tithes;" and to take away the Jurisdiction from the Ecclesiastical Courts in all Matters relating to Tithes of a certain Amount.

XXXVII. An Act for the more easy Recovery of Arrears of Compositions for Tithes from Persons of the Persuasion of the People called Quakers, in *Ireland*.

XXXVIII. An Act to afford further Facilities for the Conveyance and Endowment of Sites for Schools.

XXXIX. An Act to explain and amend Two several Acts relating to the Ecclesiastical Commissioners for *England*.

XL. An Act to empower the Commissioners of Her Majesty's Woods to raise Money for certain Improvements in the Metropolis on the Security of the Land Revenues of the Crown within the County of *Middlesex* and City of *London*.

XLI. An Act to provide for the Payment of Debts, Charges, and Incumbrances affecting Houses of Industry and Workhouses, and of Advances made, conformable with previous Usage, for the lawful Purposes of such

Houses of Industry and Workhouses, in certain Cases, in *Ireland*.

XLII. An Act to remove Doubts as to the Division of the Parish of *Winterbourne*, in the County of *Gloucester*, into Two Parishes.

XLIII. An Act to continue, until the Thirty-first Day of *December* One thousand eight hundred and forty-two, and until the End of the then next Session of Parliament, an Act of the Tenth Year of King *George* the Fourth, for providing for the Government of His Majesty's Settlements in *Western Australia* on the Western Coast of *New Holland*.

XLIV. An Act to continue, until the Thirty-first Day of *December* One thousand eight hundred and forty-two, and from thence until the End of the next ensuing Session of Parliament, certain Acts for providing for the Administration of Justice in *New South Wales* and *Van Diemen's Land*, and for the more effectual Government thereof.

XLV. An Act to amend an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Laws relating to Sewers*.

XLVI. An Act to empower the Commissioners for the Issue of Exchequer Bills for Public Works to complete the Works authorized to be made by an Act of the Sixth and Seventh Years of His late Majesty King *William* the Fourth for improving the Navigation and Harbour of *Tralee* in the County of *Kerry*; and to extend the Time for that Purpose.

XLVII. An Act to amend an Act of the last Session, for continuing and amending the Laws for the Relief of Insolvent Debtors in *Ireland*.

XLVIII. An Act to render certain Municipal Corporations rateable to the Relief of the Poor in certain Cases.

XLIX. An Act to provide for repairing, improving, and rebuilding County Bridges.

L. An Act to make further Provision relative to the Returns to be made by Banks of the Amount of their Notes in Circulation.

LI. An Act to amend an Act of the Third Year of King *George* the Fourth, for regulating Turnpike Roads in *England*; and also an Act of the Fifth and Sixth Years of King *William* the Fourth, for Consolidating the Laws relating to Highways in *England*.

LII. An Act to amend an Act of the Fourth Year of Her present Majesty, intituled *An Act for facilitating the Administration of Justice in the Court of Chancery*.

LIII. An Act to apply certain Sums of Money to the Service of the Year One thousand eight hundred and forty-one, and to appropriate the Supplies granted in this Session of Parliament.

LIV. An Act to continue, until the First Day of *January* One thousand eight hundred and forty-four, an Act of the last Session of Parliament, for continuing an Act for amending and extending the Provisions of an Act of the First Year of Her present Majesty, for exempting certain Bills of Exchange and Promissory Notes from the Operation of the Laws relating to Usury.

LV. An Act further to continue, until the First Day of *April* One thousand eight hundred and forty-two, an Act of the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to Loan Societies*.

LVI. An Act for taking away the Punishment of Death in certain Cases, and substituting other Punishments in lieu thereof.

LVII. An Act for the Prevention of Bribery at Elections.

LVIII. An Act to amend the Law for the Trial of controverted Elections.

LIX. An Act to authorize for One Year, and until the End of the then next Session of Parliament, the Application of a Portion of the Highway Rates to Turnpike Roads, in certain Cases.

LX. An Act to alter and amend certain Acts regulating Madhouses in *Scotland*, and to provide for the Custody of dangerous Lunatics.

LXI. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland*, and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons' Mates, and Sergeant Majors of the Militia, until the First Day of *July* One thousand eight hundred and forty-two.

LOCAL AND PERSONAL ACTS,

Declared Public, and to be judicially noticed.

i. AN Act to amend the Acts relating to the *London* and *South-western* Railway Company.

ii. An Act to enable the *Preston* and *Longridge* Railway Company to raise a further Sum of Money.

iii. An Act to alter and amend the Powers and Provisions of an Act passed in the Seventh Year of the Reign of King *William* the Fourth, intituled *An Act for better paving, cleansing, lighting, watching, and improving the Town of* Whitby, *in the North Riding of the County of* York; and to allow a Drawback in certain Cases from the Duties thereby granted.

iv. An Act for regulating Legal Proceedings by or against the *York* and *London* Assurance Company.

v. An Act to enable "The *Glasgow, Paisley,* and *Greenock* Railway Company" to raise a further Sum of Money; and to amend and enlarge the Powers and Provisions of the Acts relating to the said Railway.

vi. An Act to enable the *Durham* and *Sunderland* Railway Company to raise a further Sum of Money; and for amending the Acts for making the said Railway.

vii. An Act to enable the *York* and *North Midland* Railway Company to raise a further Sum of Money; to make a certain Approach to the said Railway; and to amend the Acts relating thereto.

viii. An Act to enable the Company of Proprietors of the *Manchester* and *Salford* Waterworks to raise a further Sum of Money; and to amend the Acts relating thereto.

ix. An Act for regulating Legal Proceedings by or against the *Britannia* Life Assurance Company.

x. An Act to amend the Acts relating to the *Chard* Canal.

xi. An Act for enabling the *Wishaw* and *Coltness* Railway Company to raise a further Sum of Money.

xii. An Act for granting further Powers to the *London* and *Blackwall* Railway Company.

xiii. An Act for granting further Powers to the *North Midland* Railway Company.

xiv. An Act to amend and enlarge some of the Provisions of the Acts relating to the *Eastern Counties* Railway, and to authorize the Company to raise a further Sum of Money for the Purposes of the said Undertaking.

xv. An Act for the better lighting with Gas the Borough of *Derby*, and several Parishes and Places adjacent thereto.

xvi. An Act for improving certain Parts of the Townships of *Bilton with Harrowgate* and *Pannal*, called *High* and *Low Harrowgate*, in the West Riding of the County of *York*; for protecting the Mineral Springs and regulating the Stinted Pasture in the said Townships.

xvii. An Act for the Administration of the Poor-laws in the Parish of *Saint Luke, Chelsea*, in the County of *Middlesex*, and relating to the Highways in the said Parish.

xviii. An Act for the more effectual Preservation and Improvement of the Fisheries in the River *Annan*, in the County of *Dumfries*, and in the Streams and Waters running into the same, and on the Shores or Sea Coast adjacent to the Mouth or Entrance of the said River.

xix. An Act for more effectually repairing and improving certain Roads passing through or near the Town of *Ilminster*, in the County of *Somerset*.

xx. An Act for maintaining certain Roads in the County of *Cambridge*, to be called "The *Stumpcross* Roads."

xxi. An Act for repairing several Roads leading from the Town of *Barnstaple*, in the County of *Devon*, and for making several new Lines of Road connected therewith.

xxii. An Act for more effectually repairing the Road from the Western Side of the *New Forest*, near *Christchurch*, to the Boundary of the Parish of *Lyndhurst*, all in the County of *Hants*.

xxiii. An Act for making a Turnpike Road from *Wimborne Minster*, in the County of *Dorset*, to *Piddletown*, in the same County, with certain Branches therefrom.

xxiv. An Act to enable the *Northern and Eastern* Railway Company to make certain Deviations in the Line of their Railway, and to alter and

amend the several Acts relating to the said Railway.

xxv. An Act for enabling the *Manchester* and *Leeds* Railway Company to raise a further Sum of Money.

xxvi. An Act to enable the *West Durham* Railway Company to raise a further Sum of Money; and to amend the Act relating to the said Railway.

xxvii. An Act to light with Gas and supply with Water the Townships of *Old* and *New Accrington* and *Church*, in the County Palatine of *Lancaster*.

xxviii. An Act to alter, amend, and enlarge the Powers and Provisions of an Act for lighting with Gas the Port and Town of *Liverpool* and Township of *Toxteth Park*, in the County of *Lancaster*; and for lighting with Gas the several Townships of *West Derby*, *Everton*, *Kirkdale*, *Walton-on-the-Hill*, *Bootle-cum-Lineacre*, *Litherland*, *Great Crosby*, *Wavertree*, and *Garston*, in the County of *Lancaster*.

xxix. An Act for enlarging the Powers of the Acts for building a Bridge over the River *Avon*, from *Clifton* to the opposite Side of the River, in the County of *Somerset*.

xxx. An Act for enabling the Trustees of the *Liverpool* Docks to erect Transit Sheds on the West Quay of the *Prince's Dock*, to make a Wet Dock with Warehouses on the Quays, and to construct other Works, and to raise a further Sum of Money; and for enlarging the Powers of the Acts relating to the Docks and Harbour of *Liverpool*; and for other Purposes relating thereto.

xxxi. An Act to repeal certain of the Provisions of an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, for improving Parts of the Line of Road between the Borough of *Plymouth* and the City of *Exeter*, through *Ashburton* and *Chudleigh*, in the County of *Devon*.

xxxii. An Act for repairing the Road leading from *Brent Bridge*, *Devon*, to *Gasking Street*, in or near the Borough of *Plymouth*, in the said County.

xxxiii. An Act for more effectually repairing the Road from *Cranford Bridge* to *Maidenhead Bridge*, with Roads thereout to *Eaton Town End* and to the *Great Western* Railway, and from *Langley Broom* to *Datchet Bridge*, all in the Counties of *Middlesex* and *Bucks*.

xxxiv. An Act for repairing the Roads from *Coventry* to *Warwick*, and from *Coventry* to *Martyn's Gutter*, in the County of the City of *Coventry* and in the County of *Warwick*, and other Roads communicating therewith, in the said County of *Warwick*.

xxxv. An Act for more effectually repairing and improving the Road from *Market Harborough*, in the County of *Leicester*, to *Brampton*, in the County of *Huntingdon*.

xxxvi. An Act for repressing Juvenile Delinquency in the City of *Glasgow*.

xxxvii. An Act for completing and maintaining a new Church in *Birkenhead*, in the County of *Chester*.

xxxviii. An Act for amending and enlarging the Provisions of the several Acts relating to the *Great North of England* Railway Company; and for other Purposes relating thereto.

xxxix. An Act to amend the Acts relating to the *London* and *South-western* Railway Company; and to authorize an Agreement between the said Company and certain Inhabitants of *Wandsworth* and *Battersea* respecting an alleged loss in their Supply of Water.

xl. An Act for extending, enlarging, and amending some of the Provisions of the Act relating to the *Great Leinster* and *Munster* Railway.

xli. An Act for extending and enlarging some of the Provisions of the Acts relating to the *Bristol* and *Exeter* Railway.

xlii. An Act to enable the *Northern and Eastern* Railway Company to make a Branch Line of Railway; and to alter and amend the several Acts relating to the said Railway.

xliii. An Act for making a Railway to be called the *Wilsontown*, *Morningside*, and *Coltness* Railway, in the Counties of *Lanark* and *Linlithgow*.

xliv. An Act to alter, amend, and enlarge the Powers granted to the *Newcastle-upon-Tyne* and *Carlisle* Railway Company; and to authorize Alterations in the Line of the Railway.

xlv. An Act for improving and regulating the Markets within the City and Borough of *Wells*, in the County of *Somerset*.

xlvi. An Act to alter, amend, and enlarge the Powers and Provisions of an Act passed in the First Year of the

Reign of Her present Majesty, intituled *An Act for regulating the Market in the Town of* Exmouth, *in the County of* Devon.

xlvii. An Act to alter and amend an Act passed in the Thirteenth Year of the Reign of King *George* the Third, for the better regulation of Pilots and Bridgemen, and for laying down Moorings and preventing Mischief by Fire, in the Port of *King's Lynn*.

xlviii. An Act to amend an Act for the Formation of a new Cut or Channel, and for otherwise more effectually improving the Port and Harbour of *Belfast*.

xlix. An Act for maintaining *Gourdon* Harbour, in the County of *Kincardine*.

l. An Act for making and maintaining a Harbour at *Scrabster Roads*, in the Bay of *Thurso* and County of *Caithness*, and Road thereto.

li. An Act for authorizing the *Newport* Dock Company to raise an additional Sum of Money; and to amend the Acts relating thereto.

lii. An Act to enable the *Ipswich* Dock Commissioners to raise a further Sum of Money.

liii. An Act for making a Pier in the Parish of *Portbury*, in the County of *Somerset*, with Works and Approaches connected therewith.

liv. An Act to enable the *Monkland* Canal Company to raise a further Sum of Money.

lv. An Act to consolidate, amend, and enlarge the Powers and Provisions of the several Acts relating to the *Forth* and *Clyde* Navigation.

lvi. An Act to extend and amend the Acts relating to the *Newry* Navigation.

lvii. An Act to repeal an Act passed in the Sixteenth Year of the Reign of His Majesty King *George* the Third, for the Encouragement and Improvement of the Pilchard Fishery carried on within the Bay of *Saint Ives*, in the County of *Cornwall*; and to make other Provisions in lieu thereof.

lviii. An Act for draining certain Fen Lands and Low Grounds in the Parish of *Burwell*, in the County of *Cambridge*, and for improving the Navigation of the Lodes or Navigable Cuts passing through the same.

lix. An Act for amending the several Acts relating to the *Edinburgh* and *Glasgow* Union Canal, and for enlarging the *Cobbinshaw* Reservoir.

lx. An Act to amend an Act of Her present Majesty for making and maintaining a Reservoir at *Deanhead*, in the Parish of *Huddersfield*, in the West Riding of the County of *York*.

lxi. An Act to enable the *Wakefield* Waterworks Company to raise a further Sum of Money.

lxii. An Act for supplying *Birkenhead* and other Townships in the Hundred of *Wirrall*, in the County of *Chester*, with Gas; and for supplying *Birkenhead* aforesaid with Water.

lxiii. An Act to establish a general Cemetery for the Interment of the Dead in the Parishes of *Saint Dunstan*, *Stepney*, and *Saint Leonard*, *Bromley*, in the County of *Middlesex*.

lxiv. An Act for further extending the Powers of several Acts for enabling the Commissioners of Wide Streets, *Dublin*, to widen and improve certain Ways, Streets, and Passages in the City and County of *Dublin*, and for raising Funds to enable the said Commissioners to carry the same into execution.

lxv. An Act to alter, amend, and enlarge some of the Powers and Provisions of the Acts for paving and otherwise improving certain Streets in the Parish of *Saint Pancras*, in the County of *Middlesex*.

lxvi. An Act for amending an Act passed in the Twenty-seventh Year of the Reign of King *George* the Third, for paving, cleansing, lighting, and watching the Streets and other public Passages and Places within the Walls of the City of *Canterbury* and the Liberties thereof, and other Places near the said City.

lxvii. An Act for paving, gravelling, lighting, cleansing, draining, and improving the Hamlet of *Kentish Town* and its Vicinity, in the Parish of *Saint Pancras*, in the County of *Middlesex*.

lxviii. An Act for paving, lighting, watching, cleansing, and otherwise improving the Town of *Middlesbrough* and the Neighbourhood thereof, in the North Riding of the County of York, and for establishing a Market therein.

lxix. An Act for paving, cleansing, and otherwise improving the Town and Borough of *Stamford*, in the Counties of *Lincoln* and *Northampton*.

lxx. An Act to authorize and provide for certain Improvements in the

Town and Parish of *Walton-le-Soken*, otherwise *Walton-on-the-Naze*, in the County of *Essex*.

lxxi. An Act to alter and extend an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act for regulating and improving the Borough of* Newcastle-upon-Tyne.

lxxii. An Act for better assessing and collecting the Poor Rates in the Borough of *Kidderminster*, in the County of *Worcester*.

lxxiii. An Act for the more easy and speedy Recovery of Small Debts within the City and County of the City of *Exeter*.

lxxiv. An Act for extending the Jurisdiction of the *Hatfield* Court of Requests to certain Places in the West Riding of the County of *York*, and in the Counties of *Lincoln* and *Nottingham*.

lxxv. An Act to extend the Jurisdiction of the *Kingsnorton* Court of Requests, and to amend the Act relating thereto.

lxxvi. An Act for the more easy and speedy Recovery of Small Debts within the Town and Borough of *Launceston* and other Places in the Counties of *Cornwall* and *Devon*.

lxxvii. An Act for the more easy and speedy Recovery of Small Debts within the Town of *Blackburn*, and other Places in the County of *Lancaster*.

lxxviii. An Act for the more easy and speedy Recovery of Small Debts within the Town and Borough of *Wigan*, and the Towns of *Chorley* and *Ormskirk*, and other Places therein mentioned, in the County Palatine of *Lancaster*.

lxxix. An Act to amend an Act of Her present Majesty, for the more easy and speedy Recovery of Small Debts within the Borough of *Newark* and other Places in the Counties of *Nottingham* and *Lincoln*.

lxxx. An Act for the more easy and speedy Recovery of Small Debts within the Town of *Totnes*, in the County of *Devon*, and other Places in the said County.

lxxxi. An Act for the more easy and speedy Recovery of Small Debts within and adjoining the District called *The Staffordshire Potteries*.

lxxxii. An Act for the more easy and speedy Recovery of Small Debts within the Towns of *Saint Helens* and *Prescot*, and Places adjacent, in the County Palatine of *Lancaster*.

lxxxiii. An Act for the more easy and speedy Recovery of Small Debts within the Towns of *Burnley* and *Colne*, and Places adjacent, in the County Palatine of *Lancaster*.

lxxxiv. An Act for the more easy and speedy Recovery of Small Debts within the City and Borough of *New Sarum*, and other Places, in the Counties of *Wilts*, *Hants*, and *Dorset*.

lxxxv. An Act for the more easy and speedy Recovery of Small Debts within the Town of *New Sleaford*, in the County of *Lincoln*, and other Places in the same County.

lxxxvi. An Act for the more easy and speedy Recovery of Small Debts within the Town of *Gainsburgh*, in the County of *Lincoln*, and other Places in the Counties of *Lincoln* and *Nottingham*.

lxxxvii. An Act for the more easy and speedy Recovery of Small Debts within the Town or Borough of *East Retford*, in the County of *Nottingham*, and other Places in the Counties of *Nottingham*, *York*, and *Lincoln*.

lxxxviii. An Act to incorporate the Proprietors of the *Meerbrook Sough*, and to enable them to levy and raise certain Royalties, Dues, and Tolls, for the Continuation and Maintenance thereof.

lxxxix. An Act to enable "The Patent Rolling and Compressing Iron Company" to purchase certain Letters Patent, and to sue and be sued.

xc. An Act for regulating Legal Proceedings by or against "The *Rhymney* Iron Company," and for granting certain Powers thereto.

xci. An Act for forming and establishing "*Stead's* Patent Wooden Paving Company," and to enable the said Company to purchase certain Letters Patent, and for confirming the same.

xcii. An Act to enable the Church of *England* Life and Fire Assurance, Trust, and Annuity Company to sue and be sued in the name of the Managing Director or other Officer of the said Company.

xciii. An Act for regulating Legal Proceedings by or against the *Neptune* Marine Insurance Company.

xciv. An Act for enabling "The Imperial Life Insurance Company" to alter the Mode of Appropriation of

Profits directed by their Deed of Settlement, and for regulating Legal Proceedings by or against the Company.

xcv. An Act for regulating Legal Proceedings by or against "The *Hull* Flax and Cotton Mill Company."

xcvi. An Act to enable the "*Scottish* Marine Insurance Company" to sue and be sued, and for other Purposes.

xcvii. An Act for further and more effectually repairing and maintaining certain Turnpike Roads in the Counties of *Roxburgh* and *Dumfries*.

xcviii. An Act for more effectually widening and improving the Road from *Wells* to *Highbridge*, with a Road thereout to *Cheddar*, all in the County of *Somerset*.

xcix. An Act for more effectually repairing and maintaining several Roads leading to and from the Town of *Bradford*, in the County of *Wilts*, and for maintaining a Bridge over the River *Avon*, at *Stokeford*, in the said County.

c. An Act for repairing the Roads leading from *Henley-upon-Thames* to *Culham Bridge*, and to the *Chancellor's Milestone* near *Magdalen Bridge*, in the County of *Oxford*.

ci. An Act for repairing the Road from *Blakedown Pool*, in the Parish of *Hagley*, in the County of *Worcester*, into the Borough of *Birmingham*, in the County of *Warwick*.

cii. An Act for repairing the Turnpike Road from *Barnstaple* to *Braunton*, in the County of *Devon*, and for making certain new Lines of Road to communicate with the same.

ciii. An Act for repairing and improving the Roads commonly called the *Sedgley Roads*, in the County of *Stafford*, and for making a new Line of Road connected therewith, in the said County.

civ. An Act for repairing the Road from *Dewsbury* to *Leeds*, in the West Riding of the County of *York*, and for making and repairing a new Line of Road leading therefrom.

cv. An Act to amend an Act passed in the Eleventh Year of the Reign of King *George* the Fourth, for repairing and improving the Road from *Brighton* to *Shoreham* and *Lancing*, in the County of *Sussex*, and for other Purposes connected therewith.

cvi. An Act for repairing and improving the Road from *Selby* to *Leeds*, in the West Riding of the County of *York*.

cvii. An Act for repairing, improving, and maintaining the Road from a place in the Parish of *Nuffield*, in the County of *Oxford*, through *Wallingford* and *Wantage* to *Farringdon*, in the County of *Berks*.

cviii. An Act for more effectually repairing, maintaining, and improving certain Roads leading to and from the City of *Lincoln*.

cix. An Act for repairing the Turnpike Road from *Tinsley* to *Doncaster*, and for making certain new Lines of Road to communicate with the same, all in the West Riding of the County of *York*.

cx. An Act for making and maintaining a Turnpike Road from *Cripps Corner*, in the Parish of *Ewhurst*, in the County of *Sussex*, to *Gills Green*, in the Parish of *Hawkhurst*, in the County of *Kent*.

cxi. An Act for repairing and maintaining the Road from the *Mayor's Stone* in *Abingdon*, to *Chilton Pond*, in the County of *Berks*.

cxii. An Act for improving the Streets and Public Places, and erecting a Town Hall and improving the Markets, in the Township of *Blackburn*, in the County Palatine of *Lancaster*.

cxiii. An Act for the better Drainage of Lands in *Bourn North Fen* and *Dyke Fen*, in the Manor and Parish of *Bourn*, in the County of *Lincoln*.

cxiv. An Act for maintaining and repairing, as Turnpike, a certain Road commencing at or near the North-west Gate of the *Woodside* Hotel Stable-yard, in the Township or Chapelry of *Birkenhead*, and terminating at or near the Cottage of *Henry Berry*, in the Township of *Little Meals*, in the Parish of *West Kirby*, in the County of *Chester*, and for levying Tolls for that Purpose.

PRIVATE ACTS,

Printed by the Queen's Printer, and whereof the Printed Copies may be given in Evidence.

i. AN Act for inclosing Lands in the Parish of *Barnach with Pilsgate and Southorpe*, in the County of *North-ampton*.

ii. An Act for inclosing Lands in the Parish of *Collyweston*, and within the

Precincts of *West Hay*, in the County of *Northampton*.

iii. An Act for inclosing Lands in the Manor of *Eccleshill*, in the Parish of *Bradford*, in the West Riding of the County of *York*.

iv. An Act for inclosing Lands in the Parish of *Bury*, in the County of *Sussex*.

v. An Act for inclosing Lands in the Parish of *Eccleshall*, in the County of *Stafford*.

vi. An Act for inclosing Lands in the Parish of *Gamlingay*, in the County of *Cambridge*.

vii. An Act for inclosing Lands in the Manor of *Waningore*, in the County of *Sussex*.

viii. An Act for inclosing Lands in the Parish of *Uplyme*, in the County of *Devon*.

ix. An Act for the Division of the Rectory of *Winwick*, in the County Palatine of *Lancaster*.

x. An Act for inclosing Lands in the Parish of *Bedingham*, in the County of *Norfolk*.

xi. An Act for inclosing Lands in the Parish of *Upper Heyford*, in the County of *Oxford*.

xii. An Act for inclosing Lands in the Parish of *Cheveley*, in the County of *Cambridge*.

xiii. An Act to amend an Act of the last Session of Parliament for inclosing Lands in the Parishes of *Whittlesea Saint Mary* and *Whittlesea Saint Andrew*, in the County of *Cambridge*.

xiv. An Act for inclosing Lands in the Parish of *Marsh Gibbon*, in the County of *Buckingham*.

xv. An Act for dividing, allotting, and inclosing Lands in the Parish of *Elsing*, in the County of *Norfolk*.

xvi. An Act for inclosing the Commons, Droves, Banks, and Waste Lands in the Parishes of *Leverington*, *Tid Saint Giles*, and *Outwell*, in the Isle of *Ely*, in the County of *Cambridge*.

xvii. An Act for inclosing Lands in the Manor and Tithing of *Olveston*, within the Parish of *Olveston*, in the County of *Gloucester*.

xviii. An Act for inclosing the Commons and Waste Lands in the Township and Manor of *Brimington*, in the County of *Derby*.

xix. An Act for dividing, allotting, and inclosing the Commons and Waste Lands lying within the Hamlet of *Coundon*, in the County of *Warwick*, and the Hamlet of *Keresley*, in the County of *Warwick*, and County of the City of *Coventry*, or one of them.

xx. An Act for inclosing Lands in the Parish of *Whitmore*, in the County of *Stafford*.

xxi. An Act for inclosing and improving Lands in the Parishes of *Saint Helen* and *Saint Nicholas*, *Abingdon*, in the County of *Berks*.

xxii. An Act for inclosing Lands in the Parish of *Great Horwood*, in the County of *Buckingham*.

xxiii. An Act for setting out and allotting certain Portions of the Lands in *Whaddon Chase*, in the County of *Buckingham*, in lieu of the Common Rights upon the said Chase, and for extinguishing such Common Rights.

xxiv. An Act for severing the Chapelry of *Rowley Regis* from the Vicarage of *Clent*, in the County of *Stafford*; and for the Sale of certain Lands situate in the Parish of *Rowley Regis*, and belonging to the Vicarage of *Clent*, with the Chapelry of *Rowley Regis* annexed, and thereby providing a Residence and Maintenance for the Curate or Officiating Minister of *Rowley Regis*; and for other Purposes.

xxv. An Act to empower the Dean and Chapter of *Westminster* to grant Building Leases in certain Parts of the City of *Westminster*; and for other Purposes.

xxvi. An Act to confirm to Sir *Edward Bowyer Smyth*, Baronet, the Advowson of District Churches within the Parish of *Saint Giles*, *Camberwell*, in the County of *Surrey*.

xxvii. An Act for vesting certain Real Estates devised by the Will of *Thomas Whittaker*, Esquire, deceased, in Trustees, upon Trust to be Sold, and for laying out the Money arising therefrom in the Purchase of other Estates, to be settled to the same Uses.

xxviii. An Act for extending the Powers of the Trustees under the Settlement on the Marriage of the Reverend *James Jackson* with Miss *Eliza Houlton*.

xxix. An Act for empowering the Trustees of *Henry Bickerton Whitehouse* and *Mary* his Wife, and of the Children of the said *Mary Whitehouse*, to lease or sell the Mines and Minerals in and under, and to lease Part of the Surface of a certain Freehold Estate called the *Hill Top Farm*, situate

in the Parish of *Westbromwich*, in the County of *Stafford*, and also to sell the Estate.

xxx. An Act for vesting the Lands and Barony of *Lundin* and the Lands of *Aithernie*, and certain other Heritages, in favour of *James Erskine Wemyss*, Esquire, and his Heirs and Assigns, in Fee Simple, on Condition of certain Parts of the Lands and Barony of *Methill*, and other Lands, being settled in lieu thereof in Fee Tail.

xxxi. An Act to authorize the granting of Leases and Conveyances for Mining Purposes of Estates at *Northwingfield*, in the County of *Derby*, the Property of *Frederick Lord Clay* and his infant son *Richard Clay*.

xxxii. An Act for vesting certain Estates situate in the County of *Leicester*, devised by the Will of *Catherine Moyer*, spinster, in Trustees, upon Trust to convey the same in Exchange for certain other Estates situate in the same County.

xxxiii. An Act for selling a Part of the Entailed Estate of *Newton*, in the County of *Haddington*, and applying the Price towards discharging Part of the Debts incurred in improving the said Entailed Estate; and also for exchanging certain Parts of the Entailed Estate for Lands held in Fee Simple.

xxxiv. An Act to amend "An Act for vesting Estates, of which *Gifford Warriner*, Esquire, a Lunatic, is Tenant in Tail, in Trustees for Sale, and also for effecting a Partition of certain Parts thereof, and for granting Leases;" and to enable the said Trustees to make Conveyances in Fee, subject to Rent-charges, and Leases for long Terms of Years, at reserved Rents, of the unsold Portions of the said Estates, and to make Sale of the Rent-charges and of the Reversions in Fee expectant on the Leases.

xxxv. An Act for carrying into effect a Contract between *Edward Gresley Stone* and *John Attwood*, Esquires, for the Sale of the *Coptfold Hall* Estate, in the County of *Essex*, to the said *John Attwood*, and for investing the Purchase Money in other Estates, to be settled to the same Uses; and also for authorizing the Exchange of certain Lands and Hereditaments in the Counties of *Worcester* and *Gloucester*, devised by the Will of *John Stone*, Esquire, deceased.

xxxvi. An Act for authorizing Leases to be granted of the *Burross* Estate, in the Parish of *Kingswinford*, in the County of *Stafford*, devised by the Will of *Thomas Westwood*, deceased, to *Thomas Westwood* during his Life, and after his decease, upon the Trusts of such Will.

xxxvii. An Act to enable the Trustees of the Trust Estates in *Scotland* of *John Bowes Lyon*, late Earl of *Strathmore* and *Kinghorn*, deceased, to advance and pay certain yearly Sums on behalf of *Thomas George Lyon Bowes*, commonly called *Lord Glamis*, his Grandnephew, who in certain events will become entitled to the Trust Estates in question.

xxxviii. An Act to enable the Trustees of the Hospital of *Saint John the Baptist*, in the City of *Winchester*, to effect an Exchange with Sir *Edmund Antrobus*, Baronet, under the Authority of the Court of Chancery.

xxxix. An Act to enable the Trustees of the Will of the late *Peter Dutton*, Esquire, to make Sale of Part of the Estates devised by the same Will, and to lay out the Money arising from any such Sale in the Purchase of other Estates, to be settled to the subsisting Uses of the said Will, and to make Conveyances in Fee, or Demises for long Terms of Years, of other Part of the said Estates, for the purpose of Building on and otherwise improving the same, and also to apply a Sum of Money arising from the Sale of Part of the Estates devised by the said Will, in carrying the aforesaid Objects and Purposes into execution.

xl. An Act for ascertaining and defining the Glebe Land of the Rector of *Abington* alias *Abingdon*, in the County of *Northampton*, and for Building a Parsonage House for such Rector.

xli. An Act for effecting a Sale and Conveyance from the Feoffees or Trustees of the Parish of *Saint Mildred, Bread Street*, in the City of *London*, to the Fishmongers' Company, and for investing the Purchase Money in other Estates, to be settled to the same Uses.

xlii. An Act to amend an Act passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act to authorize the Sale*

of certain Lands, Tenements, and Hereditaments in the Counties of Kent *and* Northampton, *formerly belonging to* William Marshall, *of* Clifford's Inn, *in the City of* London, *Gentleman, deceased, and for other Purposes incidental thereto.*

xliii. An Act for effecting an Exchange between the Mayor, Aldermen, and Burgesses of the Borough of *Great Yarmouth*, in the County of *Norfolk*, and the Trustees of a Charity in the said Borough, called "The Children's Hospital."

xliv. An Act for enlarging the Power to grant Leases contained in the Will of *Alexander Lyon Emerson*, Doctor of Medicine, deceased; and for other Purposes.

xlv. An Act to enable the Trustees of the *Oldbury* Charity to grant Building Leases.

xlvi. An Act for vesting in the Overseers of the Poor of the Township of *Blackburn*, in the County Palatine of *Lancaster*, Parts of the *Town's Moor*, for Sale or other Disposal thereof.

xlvii. An Act to enable the Trustees of the Chapelry of *Smethwick*, in the County of *Stafford*, to demise Coal and other Mines, and to grant Building Leases.

PRIVATE ACTS,

Not Printed.

xlviii. An Act for Naturalizing *Henry William Ferdinand Bolckow.*

xlix. An Act for Naturalizing *Gustavus Heyn.*

l. An Act for Naturalizing *Frederick Salomo Bogdan.*

li. An Act for inclosing Lands in the Townships or Divisions of *Dovenby* and *Papcastle*, in the Parish of *Bridekirk*, in the County of *Cumberland.*

lii. An Act for Naturalizing *Charles Christopher Burgett.*

liii. An Act to dissolve the Marriage of *Nathaniel Bogle French Shawe*, Esquire, with *Charlotte Shawe*, his now wife, and to enable him to marry again; and for other Purposes therein mentioned.

liv. An Act to dissolve the Marriage of *John Pascal Larkins*, Attorney at Law, with *Eliza Bird*, his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

lv. An Act to dissolve the Marriage of *Harry Dent Goring*, Esquire, with *Augusta*, his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

lvi. An Act to dissolve the Marriage of *Thomas Wyatt*, Esquire, with *Elizabeth Grey*, his now Wife, and to enable him to Marry again; and for other Purposes therein mentioned.

lvii. An Act to dissolve the marriage of *John Hall*, Esquire, with *Jemima Caroline*, his now Wife, and to enable him to marry again; and for other Purposes.

lviii. An Act for Naturalizing *Marzio Francois Giordano.*

lix. An Act for Naturalizing *Philipp Jacob Passavant*, and *Philipp Johann Passavant*, *Theodor Passavant*, *Mary Magdalen Johanna Passavant*, *Jacob Rudolph Passavant*, and *Henrietta Mariane Laura Louisa Augusta Passavant*, his Children.

PRICES OF STOCK in each Month in 1841,
Highest and Lowest.

	Bank Stock.	3 per. Ct. Reduced	3 per Ct. Consols.	3½ per Ct. 1818.	3½ per Ct. Reduced.	New 3½ pr Ct.	Long Annuities	O. S. S. Annuities	S. S. Stock.	India Stock.	India Bonds.	Ex. Bills £.1000.
January	171	90⅜	90⅛	99	99	99¼	13 1/4	88⅜	99⅞	252½	3 dis.	12 pm.
	157	89⅞	89⅜	97⅝	97⅝	97⅜	13	89¼	98⅝	243	14 dis.	3 pm.
February	167	90	89⅞	98⅛	98⅞	98	13⅛	86⅝	99⅛	248	5 dis.	9 pm.
	162	88⅝	88⅜	97⅛	97½	96⅜	13	86⅜	97¼	246	20 dis.	3 pm.
March	168	89¼	89	97⅜	98⅛	97⅛	13⅛	not	98⅜	248	3 dis.	12 pm.
	167½	89⅛	88¼	97⅜	97⅛	96⅝	13⅛	quoted	96⅞	248	23 dis.	5 pm.
April	173½	89⅛	90⅛	98⅛	99	99⅛	13	87⅜	not	256	4 pm.	16 pm.
	169	88⅝	89½	97¼	97½	98	12⅜	86⅞	quoted	251	2 dis.	6 pm.
May	169½	89	90⅛	97⅜	97⅜	99⅛	12⅜	86⅝	99½	254	3 pm.	13 pm.
	165½	88⅝	89⅜	96⅝	97¼	98⅛	12⅛	86⅛	99	250	3 dis.	par.
June	170	89⅞	90	97⅜	99⅛	99¼	12⅞	87⅛	not	252	3 pm.	11 pm.
	168¼	88⅝	90	97½	97⅜	99¼	12⅜	87¼	quoted	251	1 dis.	4 pm.
July	171⅛	90⅛	90	99⅛	99⅜	99	13	88⅛	99⅞	249¾	9 pm.	19 pm.
	168½	89⅞	89⅛	98⅞	99	98⅜	12⅞	87¼	98⅝	248	par.	8 pm.
August	169½	90¼	89⅜	98⅞	99⅜	98⅛	13	88	99⅝	248	8 pm.	17 pm.
	167⅛	89⅛	89⅛	98⅜	98⅝	98¼	12⅞	87⅜	98½	247	1 pm.	12 pm.
September	170¼	90⅞	89⅞	98⅞	99¼	99	13	87⅜	98⅜	247½	4 pm.	17 pm.
	169½	90¼	89⅛	98⅝	99⅛	98⅜	13	87⅛	98⅛	246	2 dis.	11 pm.
October	166	87½	89⅛	96⅞	97⅛	98⅝	12⅝	84⅜	97⅞	246½	3 pm.	15 pm.
	162½	86⅞	87⅝	95¼	96	97⅜	12¼	84⅛	96⅜	243	2 dis.	9 pm.
November	165⅛	88⅛	89¼	98	98⅛	99⅛	12⅛	86⅜	99¼	249	3 pm.	13 pm.
	163½	87⅜	88	96⅞	97⅛	98⅜	12⅜	85¼	98	244½	1 dis.	8 pm.
December	166	89⅜	89¼	99	99⅛	99⅛	12⅝	87	99	249	3 pm.	16 pm.
	163¼	88⅞	89⅛	97½	97⅛	98⅛	12⅜	87	99	247½	1 dis.	8 pm.

AVERAGE PRICES OF BRITISH CORN.

FROM THE RETURNS.

	Wheat.	Barley.	Oats.	Rye.	Beans.	Peas.
	s. *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*	*s.* *d.*
January 22 . .	60 6	32 6	21 6	33 6	40 7	40 3
February 20 .	61 1	32 6	21 8	32 9	39 9	39 6
March 26 . .	62 9	32 5	22 6	35 5	39 7	39 1
April 23 . .	64 0	32 10	23 0	35 4	39 6	39 1
May 21 . . .	63 5	32 0	23 1	35 6	39 0	38 3
June 22 . . .	62 1	30 6	22 4	35 1	38 2	38 1
July 20 . . .	63 6	31 5	22 1	34 11	38 6	40 6
August 20 . .	69 6	34 5	23 4	36 1	41 2	44 3
September 24 .	72 2	38 5	23 11	38 7	43 11	46 0
October 15 . .	64 1	35 9	22 5	38 0	42 9	42 2
November 23 .	64 8	32 2	22 1	38 6	39 9	39 10
December 21 .	64 4	32 0	22 3	42 3	39 9	40 0

AVERAGE PRICES OF HAY, STRAW, & CLOVER ℔ LOAD.

January.	February.	March.	April.	May.	June.
Hay. 4 0 to 5 0	Hay. 4 4 to 5 5	Hay. 4 0 to 5 5	Hay. 4 5 to 5 2 6	Hay. 4 5 to 4 17	Hay. 3 3 to 4 15
Straw. 1 18 to 2 2	Straw. 1 18 to 2 4	Straw. 2 2 to 2 10	Straw. [2 0 to 2 4	Straw. 1 16 to 2 2	Straw. 1 18 to 2 4
Clover. 5 0 to 6 0	Clover. 5 0 to 6 0	Clover. 5 0 to 6 6	Clover. 5 0 to 6 0	Clover. 5 0 to 6 0	Clover. 5 0 to 6 0

July.	August.	September.	October.	November.	December.
Hay. 3 10 to 5 2 6	Hay. 3 5 to 4 15	Hay. 3 10 to 4 15	Hay. 3 0 to 4 13	Hay. 3 3 to 4 10	Hay. 3 0 to 4 15
Straw. 2 0 to 2 5	Straw. 2 6 to 2 12	Straw. 2 6 to 2 10	Straw. 1 16 to 2 0	Straw. 1 16 to 2 0	Straw. 1 13 to 2 2
Clover. 4 0 to 6 0	Clover. 4 0 to 6 0	Clover. 4 0 to 6 0	Clover. 4 0 to 6 0	Clover. 4 4 to 5 15	Clover. 4 0 to 5 16

AVERAGE PRICES OF BUTCHERS' MEAT.

Average Prices per Stone of 8 lbs. in Smithfield Market, in 1841.

	Beef.	Mutton.	Veal.	Pork.
	s. *d.* to *s.* *d.*	*s.* *d.* to *s.* *d.*	*s.* *d.* to *s.* *d.*	*s.* *d.* to *s.* *d.*
Jan. . . .	3 4 to 4 8	4 2 to 5 2	5 0 to 6 0	4 6 to 5 6
Feb. . . .	3 4 to 4 8	4 4 to 5 2	5 8 to 6 6	4 6 to 5 6
March . .	3 4 to 5 0	3 10 to 5 6	5 0 to 5 8	4 2 to 5 0
April . . .	3 4 to 4 6	4 0 to 5 2	5 4 to 6 0	4 8 to 5 4
May . . .	3 2 to 4 10	3 8 to 5 4	5 0 to 5 8	4 0 to 4 10
June . . .	3 2 to 4 8	3 4 to 5 0	4 4 to 5 4	4 0 to 4 10
July . . .	3 6 to 4 10	4 0 to 5 0	4 8 to 5 6	4 2 to 5 2
Aug. . . .	3 4 to 4 8	4 0 to 5 0	4 8 to 5 6	4 8 to 5 6
Sep. . . .	3 8 to 4 10	4 0 to 5 0	5 0 to 6 0	4 4 to 6 0
Oct. . . .	3 4 to 4 6	3 4 to 5 0	4 8 to 5 4	4 8 to 5 4
Nov. . . .	3 4 to 4 8	3 10 to 4 10	4 6 to 5 6	4 8 to 5 8
Dec. . . .	3 8 to 4 8	4 0 to 5 2	4 6 to 5 6	4 8 to 5 6

BILLS OF MORTALITY, *from December* 29, 1840, *to December* 28, 1841.

Christened { Males . 7,584 / Females 7,615 } 15,199 ‖ Buried { Males . 7,241 / Females 7,385 } 14,626

Increase in the number of Burials this year 358:

WHEREOF HAVE DIED,

Under two years of age . . .	3745	Forty and fifty	1343
Between two and five	1492	Fifty and sixty	1276
Five and ten	608	Sixty and seventy	1456
Ten and twenty	531	Seventy and eighty	1255
Twenty and Thirty	1055	Eighty and ninety	479
Thirty and forty	1230	Ninety and one hundred . . .	51

Table of the Number of BANKRUPTS and DECLARATIONS of INSOLVENCY.

1841.	England.	Ireland.	Scotland.	Total.	Declarations of Insolvency.
January . . .	108	5	29	142	19
February . . .	113	12	30	155	16
March	113	10	32	155	17
April	138	4	39	181	18
May	129	4	35	168	29
June	123	8	37	168	21
July	94	6	35	135	14
August	105	5	43	150	11
September . . .	92		36	133	11
October	67	2	32	101	5
November . . .	82	3	33	118	21
December . . .	142	1	40	183	31
Total . .	1,306	62	421	1,789	213

METEOROLOGICAL TABLE FOR 1841.

Month.	Barometer.		Thermometer.		Number of Rainy and Snowy Days.
	Highest.	Lowest.	Highest.	Lowest.	
	In. Pts.	In. Pts.			
January	30·38	28·97	52°	12°	12
February	30·36	29·12	52	21	5
March	29·38	30·46	66	38	14
April	30·68	29·40	74	37	19
May	30·83	29·33	80	43	13
June	30·35	29·51	75	46	6
July	30·16	29·27	74½	52	9
August	30·27	29·50	83	53	6
September	30·17	29·24	80	52	12
October	30·07	28·80	63	41	16
November	30·43	28·70	57	30	12
December	30·24	29· 2	55	30	20

QUARTERLY AVERAGE of the WEEKLY LIABILITIES and ASSETS of the BANK OF ENGLAND, from October, 1840, to October, 1841:—

Quarters ending	Liabilities.			Assets.		
	Circulation.	Deposits.	Total.	Securities.	Bullion.	Total.
1840.	£.	£.	£.	£.	£.	£.
November 10.	16,798,000	6,396,000	23,194,000	22,319,000	3,729,000	26,048,000
December 8 .	16,446,000	6,337,000	22,783,000	22,078,000	3,511,000	25,589,000
1841.						
January 5. .	16,112,400	7,049,000	23,161,000	22,362,000	3,557,000	25,919,000
February 2 .	16,230,000	7,365,000	23,595,000	22,595,000	3,816,000	26,411,000
March 2 . .	16,372,000	7,567,000	23,939,000	22,725,000	4,076,000	26,801,000
March 30 . .	16,537,000	7,212,000	23,749,000	22,328,000	4,339,000	26,667,000
April 27 . .	16,587,000	7,225,000	23,812,000	22,082,000	4,638,000	26,720,000
May 25 . .	16,615,000	7,242,000	23,857,000	21,817,000	4,921,000	26,738,000
June 22 . .	16,632,000	7,218,000	23,850,000	21,601,000	5,098,000	26,699,000
July 20 . .	16,821,000	7,746,000	24,567,000	22,275,000	5,170,000	27,445,000
August 17 .	17,228,000	7,956,000	25,184,000	23,012,000	5,106,000	28,118,000
September 14	17,481,000	8,052,000	25,533,000	23,567,000	4,975,000	28,542,000
October 12 .	17,592,000	7,529,000	25,121,000	23,428,000	4,713,000	28,141,000
November 9 .	17,272,000	7,385,000	24,657,000	23,127,000	4,491,000	27,618,000

AGGREGATE AMOUNT of NOTES circulated in ENGLAND and WALES by PRIVATE BANKS and by JOINT STOCK BANKS, for each Quarter of the year ending 30th September, 1841.

Quarters ending	Private Banks.	Joint Stock Banks.	Total.
	£.	£.	£.
31st Dec., 1840. . . .	6,575,838	3,798,155	10,373,993
30th March, 1841 . . .	6,322,579	3,644,258	9,966,837
30th June, „ . . .	6,444,395	3,807,055	10,251,450
Four weeks ending 18th Sept. 1841* . . .	5,768,136	3,311,941	9,080,077

* In pursuance of 4 and 5 Vict. c. 50, p. 138.

UNIVERSITY HONOURS.

UNIVERSITY OF OXFORD.

EXAMINATIONS. TERM.—PASCHAL, 1841.

In Literis Humanioribus.

CLASSIS I.

Carden, James, *Merton.*
Chretien, Charles P. *Brasen-nose.*
Hedley, William, *Queen's.*
Karslake, Edward K. *Christ Church.*
Northcote, James S., *Corpus.*

CLASSIS II.

Bellamy, James, *St. John's.*
Chepmell, William H. *Magdalen Hall.*
Clough, Arthur H. *Balliol.*
Foulkes, Edmund S. *Jesus.*
Garbett, Edward, *Brasen-nose.*
Harris, Henry, *Magdalen.*
Mant, Frederick W. *New Inn Hall.*
Prior, Herman L. *Trinity.*
Pritchard, Henry, *Corpus.*
Rendall, John, *Balliol.*
Smith, Robert P. *Pembroke.*
Stretch, Theodore C. B. *Worcester.*
Terry, Michael, *Lincoln.*
Walker, John, *Brasen-nose.*

CLASSIS III.

Chase, Temple H. *Queen's.*
Compton, Berdmore, *Merton.*
Dowding, William C. *Exeter.*
Garside, Charles B. *Brasen-nose.*
Gibbs, Henry H. *Exeter.*
Govett, Henry, *Worcester.*
Kingdon, Paul A. *Exeter.*
Le Mesurier, John, *Christ Church.*
Mercier, Louis P. *University.*
Moberly, Charles E. *Balliol.*
Marton, Matthew C. *Exeter.*
Murray, Francis H. *Christ Church.*
Rust, George, *Pembroke.*
Winnington Ingram, Arthur H. *Christ Church.*

CLASSIS IV.

Archer, Charles H. *Balliol.*
Barnes, Walter, *Christ Church.*
Clifford, Charles C. *Christ Church.*
Cobb, William, *Christ Church.*
Collyns, Charles H. *Christ Church.*
Darnell, Nicholas, *New College.*
Evans, David J. *Jesus.*
Groom, John, *Wadham.*
Harris, Herbert, *St. John's.*
Hunt, Augustus A. *Exeter.*
Jackson, William, *Worcester.*
Lewis, Lewis, *Jesus.*
Moorsom, Richard, *University.*
Norman, John P. *Exeter.*
Poole, William, *Oriel.*
Smith, John, *Magdalen Hall.*
Sutton, Robert S. *Exeter.*
Teissier, Philip A. de, *Corpus.*
Thompson, Charles E. *Trinity.*
Toms, Humfrey W. *Exeter.*
Tufnel, Thomas C. *Wadham.*
Tylden, William, *Balliol.*
Williams, Robert P. *Jesus.*

Examiners.

Richard Michell.
Edward A. Dayman.
Charles P. Eden.
William E. Jelf.

In Disciplinis Mathematicis et Physicis.

CLASSIS I.

Bellamy, James, *St. John's.*
Compton, Berdmore, *Merton.*
Hedley, William, *Queen's.*
Kingdon, Paul A., *Exeter.*
Le Mesurier, John, *Christ Church.*
Pritchard, Henry, *Corpus.*
Barrow, Francis, *Wadham.*
Groom, John, *Wadham.*

CLASSIS III.

Chepmell, William H. *Magdalen.*

CLASSIS IV.

Gepp, Edward F. *Wadham.*
Harington, Sir John E. *Christ Church.*
Smith, William C. H. *Exeter.*
Smith, John, *Magdalen.*
Swayne, Henry, *St. Mary Hall.*
Thompson, Charles, *Trinity.*
Tuffnell, Thomas B. *Wadham.*

Examiners.

Robert Walker.
William F. Donkin.
John A. Ashworth.

EXAMINATIONS. Term, Michaelmas, 1841.

In Literis Humanioribus.

Classis I.

Chase, Drummond P. *Oriel.*
Hutchins, William T. *Worcester.*
Prichard, Constantine E. *Balliol.*
Rawstorne, William E. *Christ Church.*

Classis II.

Ashworth, Philip S. *Alban Hall.*
Beswick, Charles, *St. John's.*
Blackett, John F. B. *Christ Church.*
Brine, James G. *St. John's.*
Butler, Paul, *Christ Church.*
Harrison, Christopher R. *All Souls.*
Hayter, George G. *Oriel.*
Langhorne, Charles H. *Exeter.*
Lea, William, *Brasen-nose.*
Maclachlan, Archibald, N. C. *Exeter.*
Marshall, James, *Christ Church.*
Mountain, Jacob G. *Merton.*
Pocock, Isaac J. J. *Merton.*
Prat, Richard, *Merton.*
Sumner, Robert, *Balliol.*
Webster, Alex. R. *St. Mary's Hall.*
Webster, Montague, *Lincoln.*

Classis III.

Carden, Lionel, *University.*
Crowder, John H. *Merton.*
Jones, Timothy, *Magdalen Hall.*
Lempriere, Charles, *St. John's.*
Macintosh, Joseph, *Christ Church.*
Phillimore, Greville, *Christ Church.*
Joper, John, *Magdalen Hall.*
Townend, John, *Oriel.*
Wilson, Theodore P. *Brasen-nose.*

Classis IV.

Belcher, Brymer, *Wadham.*
Chapman, Edward J. *Wadham.*
Collier, Charles J. *Magdalen Hall.*
Cripps, Charles, *Magdalen Hall.*
Ellis, Edward, *St. Mary Hall.*
Fort, Henry, *Balliol.*
Heaton, Charles W. *Jesus.*
Hemsted, John, *Magdalen Hall.*
Jemmett, George E. *Trinity.*
Jenkins, William J. *Balliol.*
Kennicott, Benjamin C. *Oriel.*
Levien, Edward, *Balliol.*
Milner, William, *Christ Church.*
Round, Edmund, *Balliol.*
Smith, Charles J. *Christ Church.*
Stroud, Richard A. H. *Wadham.*
Thurland, Francis E. *New College.*
Walker, Robert, *Lincoln.*
Warneford, John H. *Worcester.*

Examiners.

E. A. Dayman.
C. P. Eden.
W. E. Jelf.
A. C. Tait.

In Disciplinis Mathematicis et Physicis.

Classis II.

Battersby, John H. *Balliol.*

Classis III.

Brine, James G. *St. John's.*
Lempriere, Charles, *St. John's.*
Marshall, James, *Christ Church.*
Twiss, Edward R. *University.*
Wilson, William, *Wadham.*

Classis IV.

Allen, William, *Magdalen Hall.*
Jackson, William, *Queen's.*
Macfarlane, Edward M. *Lincoln.*
Shand, George, *Queen's.*

Examiners.

R. Walker. W. F. Donkin. J. A. Ashworth.

UNIVERSITY OF CAMBRIDGE.

EXAMINATIONS. Mathematical Tripos. 1841.

Moderators. { Alexander Thurtell, M. A. *Caius.*
Edwin Steventon, M. A. *Corpus.*

Examiners. { Henry Wilkinson Cookson, M. A. *Peter's.*
Edward Brumell, M.A. *John's.*

Wranglers.

Ds. Stokes . . . . . *Pembroke.*
Jones . . . . . *Trinity.*
Sykes . . . . . *Pembroke.*
Ragland . . . . . *Corpus.*
Boultbee . . . . . *John's.*
Swainson . . . . . *Trinity.*
Smith, γ. . . . . *Trinity.*
Power . . . . . *Pembroke.*
Bull . . . . . *John's.*
Inchbald . . . . . *John's.*
Scott . . . . . *John's.*
Riggot . . . . . *John's.*
Lovell . . . . . *John's.*
Hall . . . . . *Magdalen.*
Edwards . } Æq. { *Queen's.*
Goren . . } Æq. { *Queen's.*
Wrigley . . . . . *John's.*
Fisher . . . . . *Jesus.*
Smith . . . . . *Trinity.*
Sangster, β. . . . . *John's.*
Hadlam . . . . . *Pembroke.*
Piggott . . . . . *Peter's.*
Weideman . . . . . *Catherine.*
Ick . . . . . *Sidmouth.*
Preston . . . . . *Trinity.*
Maccall . . . . . *Pembroke.*
Molyneux . . . . . *Trinity.*
Begbie, γ. . . . . *Peter's.*
Heathcote . . . . . *Trinity.*
Richardson, β. . . . *Trinity.*
Nicholson . . . . . *Trinity.*
Turnbull . . . . . *Trinity.*
Cockle . . . . . *Trinity.*
Pearson . . . . . *Catherine.*
Parish . . . . . *John's.*
Lodge . . } Æq. { *Magdalen.*
Tate . . . } Æq. { *John's.*

Senior Optimes.

Ds. Ridout, γ . . . . . *Christ's.*
Pitman . . . . . *Clare.*
King . . . . . *Jesus.*
Braithwait . . . . . *Jesus.*
Currey . . . . . *Trinity.*
Robinson, ... *Trinity.*
Turner, β. . . . . *Trinity.*
Ds. Rugeley . . . . . *John's.*
Westhorp . . . . . *Clare.*
Watkin . . . . . *John's.*
Cumming . . . . . *Pembroke.*
Craufurd . . . . . *Trinity.*
Reid . . . . . *Caius.*
Harrison. . . . . *Caius.*
Beard, γ. . . . . *John's.*
Strickland . . . . . *Trinity.*
Ellicott, β. . . . . *John's.*
Harrison. . . . . *Trinity.*
Gooch . . . . . *Caius.*
Hardcastle . . . . . *John's.*
Hodgson . . . . . *Corpus.*
Jones. . . . . *Trinity.*
Halson, β. . . . . *Pembroke.*
Beaumont } Æq. { *Trinity.*
M'Michael } Æq. { *Pembroke.*
Braddy . } Æq. { *John's.*
Treacy . } Æq. { *Emmanuel.*
Ware, β. . . . . *Trinity.*
Poynder . . . . . *Trinity.*
Easther . . . . . *Emmanuel.*
Young . . . . . *Trinity.*
Layng . . . . . *Sidmouth.*
Bennet . . . . . *John's.*
Domville . . . . . *Christ's.*
Martin, α. . . . . *Corpus.*
Martineau, α. . . . . *Trinity.*

Junior Optimes.

Ds Allnutt . . } Æq. { *Peter's.*
Broughton } Æq. { *Peter's.*
Bickerdike, γ. . . . *Trinity.*
Jephson, γ. . . . . *Corpus.*
Stock . . . . . *John's.*
Patch . . . . . *Queen's.*
Bather, α. . . . . *John's.*
Flint. . . . . *Magdalen.*
Perry . . . . . *Trinity.*
Bickersteth } Æq. { *Queen's.*
Nicholson } Æq. { *Caius.*
Miller, β. . . . . *John's.*
Wood . . . . . *Catherine.*
Thring, α. . . . . *Magdalen.*
Cope, α. . } Æq. { *Trinity.*
Smith, γ. } Æq. { *John's.*
Tritton. . } Æq. { *Trinity.*

Ds. Gisborne, β. . . . . *Trinity.*
Titcomb . . . . . *Peter's.*
Harris . . } Æq. { *Catherine.*
Parker, γ. } Æq. { *Trinity.*
Wheatley . . . . . *Down.*
Gould . . } Æq. { *John's.*
James . . } Æq. { *John's.*
Hughes . } Æq. { *Jesus.*
Tagg, β. . } Æq. { *Pembroke.*

Ds. Shaboe . . . . . *Queen's.*
Forbes . . . . . *Trinity.*
Weir . . . . . *Trinity.*
Colvile . . . . . *Trinity.*
Mee . . . . . *Christ's*
Rawson . . . . . *Trinity.*
Mathews . . . . . *Clare.*
Boutflower, γ. . . . *John's.*
Charlton . . . . . *John's.*

Classical Tripos. 1841.

Examiners. { Edward Warter, M. A. *Magdalen.*
William Hepworth Thompson, M. A. *Trinity.*
Joseph Henry Jerrard, M. A. *Caius.*
George John Kennedy, M. A. *John's.*

First Class.

Ds. Cope . . . . . *Trinity.*
Bather . . . . . *John's.*
Thring . . . . . *Magdalen.*
Martin . . } Æq. { *Corpus.*
Martineau } Æq. { *Trinity.*

Second Class.

Ds. Turner . . . . . *Trinity.*
Ellicott . . . . . *John's.*
Richardson } Æq. { *Trinity.*
Tagg . . } Æq. { *Pembroke.*
Gisborne . . . . . *Trinity.*
Sangster . . . . . *John's.*
Ware . . . . . *Trinity.*

Ds. Halson . . . . . *Pembroke.*
Miller . . . . . *John's.*

Third Class.

Ds. Jephson . } Æq. { *Corpus.*
Ridout . . } Æq. { *Christ's*
Begbie . . . . . *Peter's.*
Lyttleton, Hon. W. H. *Trinity.*
Parker . . } Æq. { *Trinity.*
W. Smith } Æq. { *Trinity.*
Beard . . . . . *John's.*
Smith . . . . . *John's.*
Boutflower . . . . . *John's.*
Bickerdike . . . . . *Trinity.*

Chancellor's Medallists.

None adjudged.

Chancellor's English Prize.

J. C. Conybeare . . . . . *Peter's.*

Sir W. Browne's Medallists.

Greek Ode } Reginald Walpole . . . . . *Caius.*
Latin Ode } H. M. Birch . . . . . *King's.*
Epigrams, M. P. W. Boulton . . . . . *Trinity.*

Porson Prize.

George Druce . . . . . *Peter's.*

Seatonian Prize.

T. E. Hankinson . . . . . *Corpus.*

THE CENSUS.

I.—ACCOUNT of the TOTAL POPULATION, according to the CENSUS taken in 1841, of each COUNTY in GREAT BRITAIN; distinguishing MALES and FEMALES, and showing the Rate per cent. INCREASE or DECREASE in each County, as compared with the Population Returns of 1831:—Also, the NUMBER of HOUSES Inhabited, Uninhabited, and Building, according to the Census, 1841.

POPULATION AND HOUSES, 1841.

ENGLAND.

COUNTIES.	PERSONS. 1841.			HOUSES. 1841.			Increase or Decrease of Population in each County, as compared with the Returns of 1831.		
	Males.	Females.	TOTALS.	Inhabited.	Uninhabited.	Building.	1831.	Increase per Cent.	1841.
Bedford	52,169	55,768	107,937	21,235	521	211	95,483	13'	107,937
Berks	79,674	80,552	160,226	31,472	1,566	200	145,389	10·2	160,226
Buckingham	76,316	79,673	155,989	31,071	1,157	198	146,529	6·4	155,989
Cambridge	81,513	82,996	164,509	33,112	1,218	237	143,955	14·2	164,509
Chester	193,089	202,211	395,300	73,390	5,845	523	334,391	18·5	395,300
Cornwall	164,451	176,818	341,269	65,641	4,956	928	300,938	13·4	341,269
Cumberland	86,206	91,706	177,912	34,444	2,369	199	169,681	4·8	177,912
Derby	135,639	136,563	272,202	52,910	2,484	444	237,170	14·7	272,202
Devon	252,752	280,979	533,731	94,637	6,117	893	494,478	7·8	533,731
Dorset	83,442	91,301	174,743	34,559	2,012	291	159,252	9·7	174,743
Durham	159,874	164,403	324,277	57,450	3,272	554	253,910	27·7	324,277
Essex	172,299	172,696	344,995	67,602	2,482	507	317,507	8·6	344,995

Gloucester	205,374	225,933	431,307	80,856	5,790	786	387,019	11·4	431,307
Hereford	57,257	57,181	114,438	23,461	1,428	123	111,211	2·9	114,438
Hertford	77,619	79,618	157,237	30,155	1,305	185	143,341	9·6	157,237
Huntingdon	29,154	29,545	58,699	11,897	373	65	53,192	10·3	58,699
Kent	272,415	275,746	548,161	95,547	5,013	809	479,155	14·4	548,161
Lancaster	814,857	852,207	1,667,064	289,166	23,604	3,831	1,336,854	24·7	1,667,064
Leicester	105,613	110,242	215,855	44,649	3,260	457	197,003	9·5	215,855
Lincoln	181,802	180,915	362,717	73,038	2,250	456	317,465	14·2	362,717
Middlesex	738,970	837,646	1,576,616	207,670	9,850	3,156	1,358,330	16·	1,576,616
Monmouth	70,608	63,741	134,349	24,880	1,417	235	98,130	36·9	134,349
Norfolk	199,055	213,566	412,621	85,922	3,711	450	390,054	5·7	412,621
Northampton	98,886	100,175	199,061	40,903	1,674	295	179,336	10·9	199,061
Northumberland	121,271	128,997	250,268	48,704	3,031	442	222,912	12·2	250,268
Nottingham	121,660	128,113	249,773	50,541	2,749	216	225,327	10·8	249,773
Oxford	80,383	81,190	161,573	32,141	1,440	201	152,156	6·1	161,573
Rutland	10,743	10,597	21,340	4,297	120	31	19,385	10·	21,340
Salop	119,357	119,657	239,014	47,203	2,093	298	222,938	7·2	239,014
Somerset	209,421	226,581	436,002	81,632	4,702	893	404,200	7·8	436,002
Southampton (Hants) ..	174,724	180,216	354,940	66,589	3,274	505	314,280	12·9	354,940
Stafford	258,729	251,477	510,206	97,676	5,455	899	410,512	24·2	510,206
Suffolk	154,107	161,022	315,129	64,081	2,317	577	296,317	6·3	315,129
Surrey	278,186	304,427	582,613	95,375	3,948	1,210	486,334	19·7	582,613
Sussex	147,572	152,198	299,770	54,066	3,647	253	272,340	10·	299,770
Warwick	195,967	206,154	402,121	81,445	6,899	667	336,610	19·4	402,121
Westmorland	28,234	28,235	56,469	10,848	870	40	55,041	2·5	56,469
Wilts	128,904	131,103	260,007	50,986	2,149	255	240,156	8·2	260,007
Worcester	114,753	118,731	233,484	46,962	2,922	351	211,365	10·4	233,484
York (East Riding) ..	95,446	98,230	193,676	38,390	1,675	426	168,891	14·6	193,676
City of York and Ainstey ..	18,176	20,146	38,322	7,710	269	68	35,362	8·3	38,322
York (North Riding) ..	100,681	103,981	204,662	42,509	2,652	296	190,756	7·2	204,662
York (West Riding) ..	574,527	580,397	1,154,924	226,473	18,870	2,221	976,350	18·2	1,154,924
TOTAL	7,321,875	7,673,633	14,995,508	2,753,295	162,756	25,882	13,091,005	14·5	14,995,508

POPULATION AND HOUSES, 1841—*continued*.

WALES.

COUNTIES.	PERSONS. 1841.			HOUSES. 1841.			Increase or Decrease of Population in each County as compared with the Returns of 1831.		
	Males.	Females.	Totals.	Inhabited.	Uninhabited.	Building.	1831.	Increase per Cent.	1841.
Anglesey	24,369	26,521	50,890	11,488	746	135	48,325	5·3	50,890
Brecon	26,911	26,384	53,295	10,634	833	77	47,763	11·5	53,295
Cardigan	31,997	36,383	68,380	15,102	811	125	64,780	5·5	68,380
Carmarthen	50,795	55,687	106,482	23,407	1,382	225	100,740	5·7	106,482
Carnarvon	39,600	41,468	81,068	16,869	771	134	66,448	22·	81,068
Denbigh	44,617	44,674	89,291	18,485	991	167	83,629	6·7	89,291
Flint	33,636	32,911	66,547	13,320	446	101	60,012	10·8	66,547
Glamorgan	89,028	84,434	173,462	33,205	1,466	538	126,612	37·	173,462
Merioneth	19,247	19,991	39,238	8,467	547	72	35,315	11·1	39,238
Montgomery	34,252	34,968	69,220	13,650	884	33	66,482	4·1	69,220
Pembroke	40,343	47,919	88,262	18,882	1,022	143	81,425	8·3	88,262
Radnor	12,738	12,448	25,186	4,687	234	19	24,651	2·1	25,186
TOTAL	447,533	463,788	911,321	188,196	10,133	1,769	806,182	13·	911,321

SCOTLAND.

Aberdeen*	89,528	102,755	192,283	32,193	1,095	288	177,657	8·2	192,283
Argyll	47,654	49,486	97,140	18,514	917	75	100,973	*	97,140
Ayr*	78,970	85,552	164,522	30,247	1,297	69	145,055	13·4	164,522

Banff	23,425	26,651	50,076	11,228	478	83	48,604	3 ·	50,076
Berwick	16,527	17,900	34,427	7,405	382	28	34,048	1 · 1	34,427
Bute	7,108	8,587	15,695	3,067	93	15	14,151	10 · 9	15,695
Caithness	16,993	19,204	36,197	6,962	214	53	34,529	4 · 8	36,197
Clackmannan	9,331	9,785	19,116	3,593	110	6	14,729	29 · 7	19,116
Dumbarton *	22,505	21,790	44,295	7,986	372	101	33,211	33 · 3	44,295
Dumfries	34,097	38,728	72,825	14,375	724	51	73,770	†	72,825
Edinburgh *	102,709	122,914	225,623	38,903	2,861	121	219,345	2 · 8	225,623
Elgin (Moray)	16,071	18,923	34,994	8,133	370	39	34,231	2 · 2	34,994
Fife *	65,735	74,575	140,310	28,965	1,502	135	128,839	8 · 9	140,310
Forfar *	79,234	91,166	170,400	36,153	2,036	124	139,606	22 ·	170,400
Haddington	17,253	18,528	35,781	8,009	739	29	36,145	‡	35,781
Inverness*	45,506	52,109	97,615	19,182	578	70	94,797	3 ·	97,615
Kincardine	15,804	17,248	33,052	7,274	314	39	31,431	5 · 1	33,052
Kinross	4,194	4,569	8,763	1,806	114	16	9,072	‖	8,763
Kirkcudbright, Stewartry of	18,838	22,261	41,099	8,159	316	22	40,590	1 · 2	41,099
Lanark *	208,369	218,744	427,113	81,531	3,964	863	316,819	34 · 8	427,113
Linlithgow *	13,766	13,082	26,848	5,309	327	19	23,291	15 · 2	26,848
Nairn	4,232	4,986	9,218	2,235	103	18	9,354	§	9,218
Orkney and Shetland*	26,843	33,953	60,796	11,571	271	34	58,239	4 · 3	60,796
Peebles	5,122	5,398	10,520	2,119	154	15	10,578	¶	10,520
Perth *	65,339	72,812	138,151	29,172	1,798	80	142,894	* *	138,151
Renfrew *	72,725	82,030	154,755	24,626	1,092	92	133,443	15 · 9	154,755
Ross and Cromarty	36,861	42,119	78,980	16,377	401	116	74,820	5 · 5	78,980
Roxburgh	21,930	24,073	46,003	8,662	364	38	43,663	5 · 3	46,003
Selkirk	3,972	4,017	7,989	1,446	76	4	6,833	16 · 9	7,989
Stirling *	41,070	41,109	82,179	15,837	795	36	72,621	13 · 1	82,179
Sutherland	11,307	13,359	24,666	4,972	167	38	25,518	† †	24,666
Wigtown	18,258	20,921	39,179	7,440	271	46	36,258	8 ·	39,179
TOTAL	1,241,276	1,379,334	2,620,610	503,451	24,295	2,763	2,365,114	10 · 8	2,620,610

Decrease, * 3·9 ; † 1·3 ; ‡ 1· ; ‖ 3·5 ; § 1·4 ; ¶ ·5 ; * * 3·4 ; † † 3·4.

Note.—In the Totals of Counties thus marked (*) are included 4,715 persons who were resident in Barracks on the night of June 6, 1841; also 1,775 persons on board Vessels in Harbours.

POPULATION AND HOUSES, 1841—*continued.*

ISLANDS IN THE BRITISH SEAS.

ISLANDS.	PERSONS. 1841.			HOUSES. 1841.			Increase of Population in each Island, as compared with the Returns of 1831.		
	Males.	Females.	Totals.	Inhabited.	Uninhabited.	Building.	1831.	Increase per Cent.	1841.
Jersey	21,617	25,939	47,556	6,671	254	134	36,582	30·	47,556
Guernsey, Alderney, Sark, Herm, and Jethou ..	12,958	15,580	28,538	4,514	244	30	26,128	9·2	28,538
Man	23,023	24,962	47,985	7,974	367	56	41,000	17·	47,985
Total	57,598	66,481	124,079	19,159	865	220	103,710	19·6	124,079

SUMMARY.

GREAT BRITAIN AND ISLANDS IN THE BRITISH SEAS.

POPULATION AND HOUSES, 1841.*

	PERSONS. 1841.			HOUSES. 1841.			Increase of Population as compared with the Returns of 1831.		
	Males.	Females.	Totals.	Inhabited.	Uninhabited.	Building.	1831.	Increase per Cent.	1841.
England	7,321,875	7,673,633	14,995,508	2,753,295	162,756	25,882	13,091,005	14·5	14,995,508
Wales	447,533	463,788	911,321	188,196	10,133	1,769	806,182	13·	911,321
Persons ascertained to have been travelling by Railways and Canals during the night of June 6, 1841	4,003	893	4,896	..	..	..	..	..	4,896
England and Wales ..	7,773,411	8,138,314	15,911,725	2,941,491	172,889	27,651	13,897,187	14·5	15,911,725
Scotland	1,241,276	1,379,334	2,620,610	503,451	24,295	2,763	2,365,114	10·8	2,620,610
Islands in the British Seas	57,598	66,481	124,079	19,159	865	220	103,710	19·6	124,079
Great Britain	9,072,285	9,584,129	18,656,414	3,464,101	198,049	30,634	16,366,011	14·	18,656,414

* This Return includes only such part of the Army, Navy and Merchant Seamen as were at the time of the Census within the Kingdom on shore.

II.—COMPARATIVE STATEMENT of the POPULATION in 1801, 1811, 1821, 1831, and 1841, showing the INCREASE in each County.

COMPARATIVE POPULATION.

ENGLAND.

COUNTIES.	1801.	Increase per Cent.	1811.	Increase per Cent.	1821.	Increase per Cent.	1831.	Increase per Cent.	1841.
Bedford	63,393	11	70,213	19	83,716	14	95,483	13·	107,937
Berks.	109,215	8	118,277	11	131,977	10	145,389	10·2	160,226
Buckingham	107,444	9	117,650	14	134,068	9	146,529	6·4	155,989
Cambridge	89,346	13	101,109	20	121,909	18	143,955	14·2	164,509
Chester	191,751	18	227,031	19	270,098	24	334,391	18·5	395,300
Cornwall	188,269	15	216,667	19	257,447	17	300,938	13·4	341,269
Cumberland	117,230	14	133,744	17	156,124	10	169,681	4·8	177,912
Derby	161,142	15	185,487	15	213,333	11	237,170	14·7	272,202
Devon	343,001	12	383,308	15	439,040	13	494,478	7·8	533,731
Dorset	115,319	8	124,693	16	144,499	10	159,252	9·7	174,743
Durham	160,361	11	177,625	17	207,673	22	253,910	27·7	324,377
Essex	226,437	11	252,473	15	289,424	10	317,507	8·6	344,995

Gloucester	250,809	12	285,514	18	335,843	15	387,019	11·4	431,307	
Hereford	89,191	5	94,073	10	103,243	7	111,211	2·9	114,438	
Hertford	97,577	14	111,654	16	129,714	10	143,341	9·6	157,237	
Huntingdon	37,568	12	42,208	15	48,771	9	53,192	10·3	58,699	
Kent	307,624	21	373,095	14	426,016	12	479,155	14·4	548,161	
Lancaster	672,731	23	828,309	27	1,052,859	27	1,336,854	24·7	1,667,064	
Leicester	130,081	16	150,419	16	174,571	13	197,003	9·5	215,855	
Lincoln	208,557	14	237,891	19	283,058	12	317,465	14·2	362,717	
Middlesex	818,129	17	953,276	20	1,144,531	19	1,358,330	16·	1,576,616	
Monmouth	45,582	36	62,127	15	71,833	36	98,130	36·9	134,349	
Norfolk	273,371	7	291,999	18	344,368	13	390,054	5·7	412,621	
Northampton	131,757	7	141,353	15	162,483	10	179,336	10·9	199,061	
Northumberland	157,101	9	172,161	15	198,965	12	222,912	12·2	250,268	
Nottingham	140,350	16	162,900	15	186,873	20	225,327	10·8	249,773	
Oxford	109,620	9	119,191	15	136,971	11	152,156	6·1	161,573	
Rutland	16,356	..	16,380	13	18,487	5	19,385	10·	21,340	
Salop	167,639	16	194,298	6	206,153	8	222,938	7·2	239,014	
Somerset	273,750	12	303,180	17	355,314	13	404,200	7·8	436,002	
Southampton (Hants) ..	219,656	12	245,080	15½	283,298	11	314,280	12·9	354,940	
Stafford	239,153	21	295,153	17	345,895	19	410,512	24·2	510,206	
Suffolk	210,431	11	234,211	15	270,542	9	296,317	6·3	315,129	
Surrey	269,043	20	323,851	23	398,658	22	486,334	19·7	582,613	
Sussex	159,311	19	190,083	22	233,019	17	272,340	10·	299,770	
Warwick	208,190	10	228,735	20	274,392	23	336,610	19·4	402,121	
Westmorland	41,617	10	45,922	12	51,359	7	55,041	2·5	56,469	
Wilts	185,107	5	193,828	15	222,157	8	240,156	8·2	260,007	
Worcester	139,333	15	160,546	15	184,424	15	211,365	10·4	233,484	
York (East Riding) ..	110,992	16	134,437	14	154,010	10	168,891	14·6	193,676	
City of York and Ainstey ..	24,393	12	27,304	12	30,451	17	35,362	8·3	38,322	
York (North Riding) ..	158,225	7	169,391	11	187,452	2	190,756	7·2	204,662	
York (West Riding)	565,282	16	655,042	22	801,274	22	976,350	18·2	1,154,924	
							1,371,359		1,591,584	
ENGLAND ..	8,331,434	14½	9,538,827	17½	11,261,437	16	13,091,005	14·5	14,995,508	

COMPARATIVE POPULATION—*continued.*

WALES.

COUNTIES.	1801.	Increase per Cent.	1811.	Increase per Cent.	1821.	Increase per Cent.	1831.	Increase per Cent.	1841.
Anglesey	33,806	10	37,045	21	45,063	7	48,325	5·3	50,890
Brecon	31,633	19	37,735	16	43,603	10	47,763	11·5	53,295
Cardigan	42,956	17	50,260	15	57,784	10	64,780	5·5	68,380
Carmarthen	67,317	15	77,217	17	90,239	12	100,740	6·	106,482
Carnarvon	41,521	19	49,336	17	57,958	15	66,448	22·	81,068
Denbigh	60,352	6	64,240	19	76,511	8	83,629	6·7	89,291
Flint	39,622	17	46,518	15	53,784	11	60,012	10·8	66,547
Glamorgan	71,525	18	85,067	19	101,737	24	126,612	37·	173,462
Merioneth	27,506	4	30,924	11	34,382	3	35,315	11·1	39,238
Montgomery	47,978	8	51,931	15	59,899	9	66,482	4·1	69,220
Pembroke	56,280	7	60,615	22	74,009	9	81,425	7·9	88,262
Radnor	19,050	9	20,900	7	22,459	9	24,651	2·1	25,186
Wales	541,546	13	611,788	17	717,438	12	806,182	13.	911,321

SCOTLAND.

Aberdeen	123,082	10	135,075	15	155,387	14	177,657	8·2	192,283
Argyll	71,859	19	85,585	14	97,316	4	100,973	*	97,140
Ayr	84,306	23	103,954	22	127,299	14	145,055	13·4	164,522

Banff	35,807	2	36,668	19	43,561	12	48,604	3 ·	50,076
Berwick	30,621	1	30,779	8	33,385	2	34,048	1 ·1	34,427
Bute	11,791	2	12,033	15	13,797	3	14,151	10 ·9	15,695
Caithness	22,609	4	23,419	29	30,238	14	34,529	4 ·8	36,197
Clackmannan	10,858	11	12,010	10	13,263	11	14,729	29 ·7	19,116
Dumbarton	20,710	17	24,189	13	27,317	22	33,211	33 ·3	44,295
Dumfries	54,597	15	62,960	13	70,878	4	73,770	†	72,825
Edinburgh	122,954	21	148,607	29	191,514	15	219,345	2 ·8	225,623
Elgin (Moray)	26,705	5	28,108	11	31,162	10	34,231	2 ·2	34,994
Fife	93,743	8	101,272	13	114,556	12	128,839	8 ·9	140,310
Forfar	99,127	8	107,264	6	113,430	23	139,606	22 ·	170,400
Haddington	29,986	4	31,164	13	35,127	3	36,145	‡	35,781
Inverness	74,292	5	78,336	15	90,157	5	94,797	3 ·	97,615
Kincardine	26,349	4	27,439	6	29,118	8	31,431	5 ·1	33,052
Kinross	6,725	8	7,245	7	7,762	17	9,072	§	8,763
Kirkcudbright	29,211	15	33,684	15	38,903	4	40,590	1 ·2	41,099
Lanark	146,699	31	191,752	27	244,387	30	316,819	34 ·8	427,113
Linlithgow	17,844	9	19,451	17	22,685	3	23,291	15 ·2	26,848
Nairn	8,257	..	8,251	9	9,006	4	9,354	‖	9,218
Orkney and Shetland ..	46,824	..	46,153	15	53,124	10	58,239	4 ·3	60,796
Peebles	8,735	14	9,935	1	10,046	5	10,578	¶	10,520
Perth	126,366	7	135,093	3	139,050	3	142,894	**	138,151
Renfrew	78,056	19	92,596	21	112,175	19	133,443	15 ·9	154,755
Ross and Cromarty ..	55,343	10	60,853	13	68,828	9	74,820	5 ·5	78,980
Roxburgh	33,682	11	37,230	10	40,892	7	43,663	5 ·3	46,003
Selkirk	5,070	16	5,889	13	6,637	2	6,833	16 ·9	7,989
Stirling	50,825	14	58,174	12	65,376	11	72,621	13 ·1	82,179
Sutherland	23,117	2	23,629	..	23,840	7	25,518	††	24,666
Wigtown	22,918	17	26,891	23	33,240	9	36,258	8 ·	39,179
Scotland ..	1,599,068	14	1,805,688	16	2,093,456	13	2,365,114	10 ·8	2,620,610

Decrease * 3·9; † 1·3; ‡ 1·; § 3·5; ‖ 1·4; ¶ ·5; ** 3·4; †† 3·4.

COMPARATIVE POPULATION] ISLANDS IN THE BRITISH SEAS. [*Continued.*

ISLANDS.	1801.	Increase per Cent.	1811.	Increase per Cent.	1821.	Increase per Cent.	1831.	Increase per Cent.	1841.
Jersey	. .	. .	. .	. .	28,600	27·9	36,582	30·	47,556
Guernsey, Alderney, Sark, Herm, and Jethou ..	. .	. .	. .	. .	20,827	25·4	26,128	9·2	28,538
Man	. .	. .	. .	. .	40,081	2·2	41,000	17·	47,985
TOTAL ..	. .	. .	. .	. .	89,508	15·8	103,710	19·6	124,079

Summary.—GREAT BRITAIN AND ISLANDS IN THE BRITISH SEAS.

COMPARATIVE POPULATION.*

	1801.	Increase per Cent.	1811.	Increase per Cent.	1821.	Increase per Cent.	1831.	Increase per Cent.	1841.
England	8,331,434	14½	9,538,827	17½	11,261,437	16	13,091,005	14·5	14,995,508
Wales	541,546	13	611,788	17	717,438	12	806,182	13·	911,321
Persons ascertained to have been travelling by Railways and Canals during the night of June 6, 1841	. .	. .	. .	. .	. .	. .	. .	. .	4,896
ENGLAND and WALES	8,872,980	14	10,150,615	17	11,978,875	16	13,897,187	14·5	15,911,725
Scotland	1,599,068	14	1,813,688	16	2,093,456	13	2,365,114	10·8	2,620,610
Islands in the British Seas ..	. .	. .	. .	. .	89,508	15·8	103,710	19·6	124,079
GREAT BRITAIN ..	10,472,048	14. 2	11,964,303	17·6†	14,161,839	15·5	16,366,011	14.	18,656,414

* This Return includes only such part of the Army, Navy and Merchant Seamen as were at the time of the Census within the Kingdom on shore.
† For the purposes of comparison with the Total of 1811, the Population of the Channel Islands, as taken in 1821, has been omitted.

POSTAGE.

RETURNS CONNECTED WITH THE GENERAL POST OFFICE, UNDER THE OLD SYSTEM, THE FOURPENNY RATE, AND THE PENNY RATE.

1.—LONDON GENERAL POST.

RETURN of the NUMBER of CHARGEABLE LETTERS which have passed through the LONDON GENERAL POST (Inwards and Outwards) since the first General Reduction of Postage on the 5th December, 1839, dividing the Time, as far as practicable, into Periods of Four complete Weeks each, and distinguishing, as regards each Period, the Unpaid, Paid, and Stamped, and Total Number of Letters; also, a Return of the Estimated Average Number for Four Weeks of the Year immediately preceding the Reduction, distinguished in like manner.

1840.					1841.				
Four Weeks, ending	Unpaid.	Paid.	Stamped.	TOTAL.	Four Weeks, ending	Unpaid.	Paid.	Stamped.	TOTAL.
4 January	1,596,434	505,847	.. ..	2,102,281	2 January	333,433	1,974,684	2,047,120	4,355,237
1 February	787,139	2,217,127	.. ..	3,004,266	30 January	370,080	2,204,919	2,108,074	4,683,073
29 February	462,647	2,875,427	.. ..	3,338,074	27 February ..	406,173	2,349,958	2,275,321	5,031,452
28 March	386,150	2,986,517	.. ..	3,372,667	27 March	435,388	2,249,080	2,375,659	5,060,127
25 April	423,930	2,980,970	.. ..	3,404,900	24 April	449,338	2,191,941	2,325,650	4,966,929
23 May	410,399	2,630,895	419,984	3,461,278	23 May	464,697	2,284,045	2,487,459	5,236,201
20 June	367,831	2,354,932	942,430	3,665,193	19 June	485,986	2,340,379	2,516,304	5,342,669
18 July	337,176	2,288,040	1,188,229	3,813,445	17 July	484,987	2,461,049	2,565,987	5,512,023
15 August	351,234	2,181,296	1,439,334	3,971,864	14 August	466,264	2,448,165	2,562,905	5,477,334
12 September ..	291,973	2,229,952	1,535,137	4,057,062	11 September ..	479,709	2,450,026	2,644,269	5,574,004
10 October	308,686	2,201,756	1,671,736	4,182,178	9 October	468,896	2,449,606	2,722,109	5,640,611
7 November ..	267,743	2,119,278	1,910,581	4,297,602	6 November ..	411,269	2,266,492	2,762,572	5,440,333
5 December ..	296,285	2,096,097	1,992,219	4,384,601	4 December ..	405,840	2,290,108	2,802,938	5,498,886

1839. Estimated Average for Four Weeks, Unpaid 1,358,651, Paid 263,496, Total, 1,622,147. The Fourpenny Rate came into operation on the 5th December, 1839; the Penny Rate, 10th January, 1840; Stamps, 6th May, 1840.

2.—LONDON DISTRICT POST.

RETURN of the NUMBER of LETTERS which have passed through the LONDON DISTRICT POST (exclusive of all General Post Letters), since the first General Reduction of Postage on the 5th December, 1839, dividing the Time, as far as practicable, into Periods of Four complete Weeks each, and distinguishing, as regards each Period, the Unpaid, Paid, and Stamped, and Total Number of Letters; also, a Return of the estimated Average Number for Four Weeks of the Year immediately preceding the Reduction, distinguished in like manner.

1840.					1841.				
Four Weeks, ending	Unpaid.	Paid.	Stamped.	TOTAL.	Four Weeks, ending	Unpaid.	Paid.	Stamped.	TOTAL.
4 January	477,273	825,282	.. ..	1,302,555	2 January	140,328	810,052	619,166	1,569,546
1 February	331,589	1,207,985	.. ..	1,539,574	30 January	157,242	926,264	752,134	1,835,640
29 February	312,757	1,312,379	.. ..	1,625,136	27 February ..	207,265	884,822	771,041	1,863,128
28 March	214,863	1,308,100	.. ..	1,522,963	27 March	142,766	833,849	789,543	1,766,158
25 April	202,390	1,368,100	.. ..	1,570,490	24 April	138,618	821,807	777,210	1,737,635
23 May	197,922	1,198,613	285,079	1,681,614	22 May	144,176	851,413	855,487	1,851,076
20 June	182,914	1,001,088	518,342	1,702,344	19 June	140,299	906,252	837,724	1,884,275
18 July	175,927	920,157	565,145	1,661,229	17 July	137,209	884,136	877,986	1,899,331
15 August	159,153	814,873	536,197	1,510,223	14 August	121,332	790,755	736,542	1,648,629
12 September ..	152,441	752,423	458,658	1,363,522	11 September ..	117,857	734,082	683,104	1,535,043
10 October	151,106	790,919	501,069	1,443,094	9 October	119,507	763,377	719,990	1,602,874
7 November ..	150,429	830,235	577,598	1,558,262	6 November ..	120,883	755,947	793,686	1,670,516
5 December ..	148,362	812,559	596,997	1,557,918	4 December ..	119,255	799,786	840,477	1,759,518

1839. Estimated Average for Four Weeks, Unpaid 800,573, Paid 220,813, TOTAL 1,021,386. The Penny Rate came into operation, as respects this post, on 5th December, 1839; Stamps, 6th May, 1840.

3.—UNITED KINGDOM.

A COMPARATIVE STATEMENT of the NUMBER of LETTERS (including Franks, during the Existence of the Franking Privilege,) delivered in the *United Kingdom* in One Week of each Calendar Month, beginning with November, 1839, and ending with the present Time.

WEEKS ending	ENGLAND AND WALES.				TOTAL IRELAND.	TOTAL SCOTLAND	TOTAL UNITED KINGDOM.
	Country Offices.	London, Inland, Foreign, and Ship.	London District Post.	TOTAL ENGLAND and WALES.			
1839:							
24 November	764,938	229,292	258,747	1,252,977	179,931	153,065	1,585,973
22 December	963,616	279,457	340,693	1,583,766	225,889	199,032	2,008,687
1840:							
January .	not ascertained.		..	..	..	..	..
23 February	1,658,002	431,298	406,476	2,495,776	349,928	353,933	3,199,637
22 March .	1,607,431	416,887	386,689	2,411,007	321,163	337,326	3,069,496
26 April .	1,505,609	410,270	390,989	2,306,868	328,074	319,924	2,954,866
24 May . .	1,588,809	449,333	418,926	2,457,068	338,407	342,560	3,138,035
21 June . .	1,629,123	454,376	441,848	2,525,347	343,761	352,098	3,221,206
19 July . .	1,674,410	452,448	400,753	2,527,611	338,495	356,817	3,222,923
23 August .	1,746,257	461,689	343,347	2,551,293	345,831	369,436	3,266,560
20 September	1,811,213	450,871	340,232	2,602,316	350,318	366,419	3,319,053
25 October .	1,821,711	472,802	387,848	2,682,361	369,297	366,121	3,417,779
22 November	1,805,325	492,574	387,282	2,685,181	385,672	385,262	3,456,115
20 December	1,782,579	491,264	405,153	2,678,996	381,306	375,024	3,435,326
1841:							
24 January .	1,929,661	519,625	467,940	2,917,226	386,555	380,242	3,684,023
21 February	2,133,197	547,621	504,147	3,184,965	460,380	444,819	4,090,164
21 March .	1,950,501	531,960	447,766	2,930,227	389,877	401,351	3,721,455
25 April . .	1,899,485	511,064	454,601	2,865,150	389,989	389,568	3,644,707
23 May . .	1,908,188	546,170	452,864	2,907,222	391,332	400,581	3,699,135
20 June . .	1,911,452	540,099	506,911	2,958,462	396,374	418,300	3,773,136
25 July . .	2,001,546	522,290	437,471	2,961,307	383,549	401,152	3,746,008
22 August .	1,994,305	531,773	384,506	2,910,584	377,141	410,224	3,697,949
19 September	1,999,372	532,075	378,244	2,909,691	389,696	396,233	3,695,620
24 October .	2,041,335	551,711	404,271	2,997,317	404,689	407,118	3,809,124
21 November	2,029,370	564,481	435,602	3,029,453	403,421	413,248	3,846,122
19 December	2,062,129	554,990	458,459	3,075,578	425,681	437,496	3,938,755

4.—AN ACCOUNT showing the GROSS and NET POST OFFICE REVENUE, and the COST of MANAGEMENT for the *United Kingdom*, for each of the Years ending 5th of January 1839, 1840, 1841, and 1842, excluding from the Account, whether of Gross Revenue or Cost of Management, any Advances that may have been made by the *English* to the *Irish* Post Office, and Advances to the Money Order Office.

YEAR ending	Gross Revenue.*	Cost of Management.†	Net Revenue.	Postage charged on the Government Departments.	Net Revenue, exclusive of Charges on the Government Departments.
5 January:	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1839 . . .	2,346,278 0 9½	686,768 3 6¾	1,659,509 17 2¾	45,156 0 11	1,614,353 16 3¾
1840‡ . . .	2,390,763 10 1½	756,999 7 4	1,633,764 2 9½	44,277 13 4	1,589,486 9 5½
1841 . . .	1,342,604 5 2	858,677 0 5¼	483,927 4 8¾	90,761 3 2	393,166 1 6¾

* Namely, the gross receipts, after deducting the returns for "refused letters," &c.
† Including all payments out of the revenue, in its progress to the Exchequer, except advances to the Money Order Office.
‡ This year includes one month of the fourpenny rate.

7.—A RETURN of the NUMBER and AMOUNT of MONEY ORDERS Issued and Paid in *England* and *Wales* during the undermentioned Quarters, the Quarter to the 5th of January, 1842, being estimated.

For the Quarters ended	Money Orders Issued.		Money Orders Paid.		Total Amount Passing through the Office.	
	Number.	Amount.	Number.	Amount	Number.	Amount.
		£. s. d.		£. s. d.		£. s. d.
1839 5 April	28,838	49,496 5 8	25,785	43,237 14 9	54,623	92,734 0 5
— 5 July	34,612	59,099 9 5	28,645	50,154 18 6	63,257	109,254 7 11
— 5 October ..	38,510	64,056 7 8	31,909	54,768 3 3	70,419	118,824 10 11
1840: 5 January ..	40,763	67,411 2 7	37,665	60,425 6 1	78,428	127,836 8 8
— 5 April	76,145	119,932 12 1	70,875	117,858 0 4	147,020	237,790 12 5
— 5 July	94,215	151,734 15 8	82,558	135,393 0 2	176,773	287,127 15 10
— 5 October ..	122,420	196,507 14 3	110,227	170,084 0 6	232,647	366,591 14 9
1841: 5 January ..	189,984	334,652 14 8	165,940	316,628 17 2	355,924	651,281 11 10
— 5 April	275,870	567,518 12 3	274,201	561,574 14 6	550,071	1,129,093 6 9
— 5 July	289,884	608,774 11 2	291,884	615,850 7 7	581,768	1,224,624 18 9
— 5 October ..	334,071	661,099 9 0	326,193	651,935 18 6	660,264	1,313,035 7 6
1842: 5 January ..	390,290	820,576 11 10	376,382	808,699 10 4	766,672	1,629,276 2 2

The commission on Money Orders was, on and from the 20th November, 1840, reduced as follows:—

For any sum not exceeding 2*l.* .. .. from 6*d.* to 3*d.*

For any sum above 2*l.* and not exceeding 5*l.* .. .. from 1*s.* 6*d.* to 6*d.*

The New Judges.

The following are the principal clauses in the Administration of Justice Bill (No. 2):—

"And whereas the business of the Court of Chancery has of late years greatly increased, and by reason of the transfer to the Court of Chancery of the equitable jurisdiction of the Court of Exchequer, further duties will devolve on the Court of Chancery, and it is therefore expedient, for the better administration of justice in the said Court of Chancery, that two additional judges should be appointed to assist in the discharge of the judicial functions of the Lord Chancellor; be it therefore enacted, that it shall be lawful for her Majesty to nominate and appoint, by letters patent under the Great Seal of the United Kingdom, two fit persons, being or having been respectively barristers-at-law of fifteen years' standing at the least, to be additional Judges-Assistant to the Lord Chancellor in the discharge of the judicial functions of his office, each of such additional judges to be called Vice-Chancellor.

"And be it enacted, that each or either of the Vice-Chancellors to be appointed in pursuance of this act shall sit for the Lord Chancellor whenever he shall require him so to do, and shall also, at such other times as the Lord Chancellor shall direct, sit in a separate court, whether the Lord Chancellor or the Master of the Rolls, or the Vice-Chancellor appointed in pursuance of the said act, shall be sitting or not, for which purpose the Lord Chancellor shall make such orders as to him shall appear to be proper and convenient, from time to time as occasion shall require."

II.—COLONIAL.

Jamaica.

Speech of his Excellency the Governor-General, Dec. 22.

"*Mr. Speaker and Gentlemen of the Assembly,*

"As I have so frequently addressed you on those particular points on the state of our affairs which it was my wish and duty to bring to your notice at the commencement of your proceedings, I do not propose to detain you on the present occasion by any long discourse. I cannot, however, refrain from offering to you my cordial thanks for the indefatigable zeal with which you have devoted yourselves to the important duties of the session. My warmest acknowledgments are due for the readiness with which you have adopted the amendments in some of your enactments proposed by her Majesty's Ministers, and for the improvements which you have by other acts effected in the criminal code, especially by the abolition of the sentence of death in numerous instances, and by the entire abolition, by law, of the revolting, but happily unpractised, punishment of whipping.

"I entertain great hope that

your amendment of the Petty Debt Act, besides being useful in other respects, will terminate vexatious misunderstandings and heartburnings regarding rents, and thereby tend to promote content and reconciliation thoughout the island. The increased liberality of the provisions in the Dissenters' Marriage Act has my hearty concurrence, as any measure will always have that is favourable to civil and religious liberty.

"I forbear to dilate on other acts of the session, which are nevertheless of great importance, lest I should detain you longer than would be convenient to you at the present moment, when you are naturally anxious to proceed to your homes, and take care of those concerns which are always in some degree neglected during your attendance on your public duties here.

"*Mr. Speaker and Gentlemen of the Assembly.*

"I thankfully acknowledge the liberality of your grants for the public service.

"Those for the erection of a penitentiary and the improvement of parochial prisons, though prudently and necessarily limited by the probable extent of our means, will I trust enable me gradually to carry into effect the arrangements considered to be most beneficial for the regulation and improvement of prison discipline.

"I am happy to perceive, by the increase which you have afforded to the police, that the services of that body have given general satisfaction, a feeling in which I entirely concur.

"I have great pleasure in observing that you have made many grants towards the erection and extension of churches, chapels, and schools, as well for congregations of Dissenting Christians and the Church of Rome, as for those of the Churches of England and Scotland. Such grants are honourable to yourselves, and cannot fail to be attended with benefit to the community.

"I cannot pass unnoticed the rewards which you have offered to encourage the cultivation of various articles the growth of which would promote the commerce, wealth, and general prosperity, of the island. It is most gratifying to me to witness the spirit in which such measures originate.

"As our expenditure, in consequence of the increase caused by the several grants which you have made, will exceed our ordinary income, you have wisely determined to raise the difference by additional taxation, rather than by having recourse to the creation of additional debt. The only sound system of finance is to keep our expenditure within the amount of our income, or to raise our revenue to the extent of our unavoidable expenses. This is the system you have evinced your resolution to adopt, and, by adhering to it, we shall, I trust, at no distant period, be able to diminish and extinguish our debt.

"I shall rejoice to find that the additional taxes which you have instituted produce results corresponding with your expectations.

"*Gentlemen of the Council,*

"I congratulate you on being able to enjoy a recess without the necessity of a double session. On your return to your several parishes you will, I hope, experience a continuation of that amelioration of your prospects which I am happy to learn is generally in progress,

and I am confident you will do all in your power to promote the comfort and welfare of the people, who most naturally look to you as their landlords and employers, and who will, I have no doubt, find you their friends and protectors.

"Our meetings are so agreeable, and pass with so much harmony and cordiality, that I could not let you depart without reluctance were I not aware that it is essential for your own interests that you should revisit your properties. I will only add, that I shall have great pleasure in assembling you again at the accustomed season. I do now, in her Majesty's name, prorogue this General Assembly to the 1st day of February, 1841, and it is hereby prorogued accordingly."

Newfoundland.

Speech of his Excellency the Governor, January 2.

"*Mr. President, and Hon. Gentlemen of the Council,*

"*Mr. Speaker, and Gentlemen of the House of Assembly,*

"Two events of the greatest consequence to us loyal subjects have occurred since our last meeting. The first, the escape of her gracious Majesty from the furious assault of a wretched maniac; the second, the auspicious birth of the Princess Royal.

"These incidents, though dissimilar in their character, are both calculated to excite deep feelings of joy and gratitude.

"I have to acquaint you that of the ten acts passed in the last session, six have been left to their operation; and that respecting two others, some correspondence has passed, which shall be submitted to your inspection. I have not as yet been honoured with any commands relative to the remainder.

"The despatch which I have received on the subject of a land bill is so full and explicit that in laying it before you I shall feel confident that this matter will at length be settled in a manner suitable to the circumstances of the colony.

"I shall cause to be transmitted to you the last report of the geological surveyor. His researches have not been productive of any immediately practical benefit, but they are far from unimportant, and I hope before the close of the session to make some further communication in connexion with his past operations, with a view to their being rendered of permanent utility.

"Her Majesty's Government having directed that such buildings in Fort William as may be required for colonial purposes shall be transferred to the colony, I would propose the appointment of a joint committee of the Council and House of Assembly, for the purpose of ascertaining how far this order can be made available for the future accommodation of the Legislature.

"*Mr. Speaker and Gentlemen of the House of Assembly,*

"The estimates for the ensuing financial year shall be sent down without delay. The revenue has

been considerably augmented by the fiscal enactments of the last session, and our pecuniary condition is satisfactory; but, unless enlarged means of prevention are given to the Customs' Department, the evil effects of smuggling, already great, will be still further experienced. I must revert to the observations which I have formerly made from this place, and in repeated messages to the house, respecting the sick and impotent poor, the orphans and idiots. For the current year no provision has been made for these unhappy people, and consequently, even the hospital is closed against them. As affecting applications are often made to me on this subject, I once more recommend it to your benevolent reflection.

"From the peculiar nature of our avocations, it should seem especially incumbent on us to make a just and guarded provision for the utterly helpless.

"*Mr. President and Hon. Gentlemen of the Council,*

"*Mr. Speaker and Gentlemen of the House of Assembly,*

"The approaching period of a general election, and the scandalous events which have lately occurred in partial elections, the last of which was rendered altogether abortive by the ferocious conduct of a mob at Carbonear, compel me to suggest for your deliberation, as an object of the first importance, the establishment of such a law as may tend to preserve the public peace and secure the free and undisturbed exercise of the elective franchise.

"For this purpose it seems desirable that our system should be assimilated, as nearly as circumstances will permit to that of the mother country.

"I am anxious to press this matter upon your immediate attention, because, if in the two great districts of the colony which return seven of the fifteen members of which the house is composed, elections can only be carried on under protection of bayonets—if brutal force and lawless violence are to be perpetually resorted to, and, as heretofore, to a degree that can be restrained solely by military interference, the inevitable inference must be, that the island is unfit for a representative system and legislative institutions, and that this ancient possession of the British crown is not duly prepared for conducting its own affairs, and watching over its particular interests, by means of a General Assembly. I shall have the honour of laying before you a circular despatch from the Secretary of State, recommending the formation of roads with a view to the facilitating of Post-office communications. The completion of the line connecting Placencia and St. Mary's with St. John's, would appear best calculated for the fulfilment of this object, and be essentially advantageous in other particulars. A general road bill, establishing a complete and uniform mode of preliminary survey of subsequent supervision and effective audit, would be far preferable to the plan hitherto pursued of a yearly act constantly varying in its provisions. Under the proposed arrangement it would only be necessary to decide in each session upon the sums to be expended, and the localities to which they should be applied.

"A case occurred early in the recess, which, in consequence of

the Quarantine Act having been allowed to expire, occasioned considerable perplexity. To prevent a repetition of such inconvenience, and to enable the Executive legally to prescribe and enforce such measures as may, under Providence, best guard the public from contagious disease, is a matter well worthy of your care.

"You are aware that the Education Act will cease in the approaching month of May, and that consequently it will be necessary to continue it for a certain period, or to prepare another bill. Its benefits have latterly been pretty generally extended, and I may here refer to the message with which I last session recommended to your favourable consideration the rules and regulations of the board of directors for the district of St. John's, believing that under them Catholic and Protestant children are educated together in habits of friendship, while they receive useful instruction and virtuous admonition.

"A very serious fire occurred in the town in the month of September last, the destructive ravages of which were arrested by the ardent zeal and daring courage of the garrison, of the fire companies, and of indiviuduals of every class of society. Their strenuous efforts were, however, much impeded by the want of water, which it would be well to obviate in future by the formation of reservoirs, the construction of floating engines, or such other means as may, on investigation, appear expedient.

"The principal legal functionary of the island having declared it to be, in his opinion, very desirable that the rights of the fishermen and of the trade should be regulated and defined by some express enactment to which the judges might refer, and which would guide their decisions, I think it proper to submit this point for your determination.

"I shall be happy to assist you to the utmost of my power in every effort for the public good, and it will be a source of the highest gratification to me should this, the concluding session of the present General Assembly, be remarkable for the harmony of its proceedings, and the beneficial results of its deliberations."

Affairs of Canada.

Copy of a Despatch from the Right Hon. C. Poulett Thomson to Lord John Russell.—(No. 1.)

Government House, Montreal, 27th June, 1840.

My Lord—I now transmit to you an account of the financial state of the two Canadas, and in order to bring the subject fully before you, I shall call your attention, first, to the estimated income and expenditure of each province for the present year; secondly, to that of each in regard to the future, under their existing engagements; and lastly, to the state in which the finances of the United Province will probably be found should the Union Bill pass into a law as proposed by me.

The account marked A* is the estimate of the revenue and ex-

* Income and Expenditure of Lower Canada, for the year 1840.

penditure of the present year, as prepared by the Inspector-General of Lower Canada. This return would show a probable deficiency in the revenue of about 9,000*l.*, exclusive of the debt of 20,000*l.* to the military chest. I do not, however, anticipate any inconvenience from this deficiency, as many of the services for which it is necessary to make provision during the current year will not in reality be paid until after the commencement of the next financial year. In regard to the debt to the military chest, I trust that her Majesty's Government will not object for the present to suspend its repayment. If this be permitted, I have every reason to expect that the revenue of the present year will be sufficient to meet all the charges upon it. I must also remark that I have not been able to provide this year for a sum of from 12,000*l.* to 15,000*l.* for indemnity to sufferers under the rebellion, which have been allowed under a commission named by my predecessor.

The account A a* will show the estimated expenditure and the interest of debt in Upper Canada, to be provided during the present year, together with an estimate of the income likely to accrue.

From this account it will appear, that after providing for the payment of the dividends upon the debt due in London on the 1st of January, 1841, which must of course be met by remittances in December, or by some other arrangement, there will remain a deficiency of 50,394*l.* Against this has to be set a debt from Messrs. Thomas Wilson and Co. of 61,021*l.*, of which, however, only a small part can be expected to be realized within that period, if indeed any dividend be made, although there is no reason to doubt that the whole will ultimately be paid.

To provide for this deficiency, the Legislature have voted a credit of 63,000*l.*, to be raised by the sale of debentures in London without limit as to price or rate of interest.

Thus you will perceive, that to complete the payments and fulfil the obligations of the province during this year, a sum of about 50,000*l.* must be raised, which can be effected only by the realization of the debt of Messrs. T. Wilson and Co., or by having recourse to the powers granted by the House of Assembly.

Of the first there is little probability. Although I entertain no doubt of the ultimate solvency of the house in question, and of the payment of the debt in full, it is not to be expected that this can be effected during the present year, and it will be necessary to have recourse to the other resource, if other means cannot be adopted.

But this would in my opinion be most objectionable. In the present state of the credit of Upper Canada, debentures to the extent required could not most probably, if saleable at all, be disposed of for anything more than 75 or 80 per cent., if bearing interest of 5 per cent., and only redeemable in a certain number of years; or, if redeemable at pleasure at par, probably it would be necessary to pay an interest of 8 or 9 per cent.

A fresh loan to this extent would add materially to the debt which must hereafter form the united debt of the province of Ca-

* Income and Expenditure of Upper Canada for the year 1840.

nada, and would, in addition to the injustice of thus saddling upon the united province an augmented burthen to that extent, impose one contracted upon the most disadvantageous terms to the borrower.

I would, therefore, earnestly press upon her Majesty's Government the propriety of affording the means of avoiding this necessity, which it may do with no inconvenience, and without any risk worth speaking of.

This may be effected by the Treasury undertaking the advance of 50,000*l.* necessary to complete the balance required, and taking in security the transfer of the debt of Thomas Wilson and Co., to which would be added of course the security of the province. The advance would, as regards the British Treasury, be a purely temporary one, probably not remaining uncovered for more than a few months; but to the province, it would be a matter of the greatest moment.

I next come to the financial condition of the two provinces under their present separate administration.

In Lower Canada the provincial debt already incurred, or which may probably be raised during the ensuing year, is comparatively insignificant. From the statement B, annexed to this Despatch, it appears that the total interest both certain and probable, payable on this debt during the present year, will not exceed 4,007*l.* 12*s.*, and that in future years it will amount only to 6,769*l.*

With regard to the general expenses it is to be observed, that in Lower Canada, under the heavy burthens of the two last years, the revenue has been nearly equal to the expenditure. In future years it will be relieved of some of the heaviest charges now upon it, and will therefore afford a considerable surplus. Thus the expense of the police of Montreal and Quebec, now amounting to 12,900*l.* (but in future on a very reduced scale), will be borne by those cities respectively.

The expense of the rural police will be reduced from 20,000*l.* to 13,000*l.*; the charge for the Commissioners of Indemnity and for the sums awarded by them will cease to exist.

By the saving thus effected there will be a surplus, as exhibited in paper C., for the next year of 16,891*l.*, and in future of a larger sum.

Paper B. b. will show the present debt of Upper Canada, both funded and due to London bankers, the periods at which each part of it is redeemable, and the annual charge for interest. To this amount are appended the charges for fresh debt which may be incurred in the present year under certain contingencies; which are, first, the above-mentioned sum of 63,000*l.* if not provided for as I have pointed out; next, a sum of 36,000*l.* voted for indemnity to sufferers during the rebellion, to which bill the assent of the crown is pledged under your Lordship's instructions to me, and which has only not been given as it is to be hoped that her Majesty's Government will accede to the address of the House of Assembly, upon which I have already written to you, and consent to cause these indemnities to be paid from the imperial treasury: and lastly, an additional sum of (probably) 54,000*l.*, which must be raised for public works which would otherwise fall into decay. The whole

amount of debt will then stand at 1,067,959*l.* certain, or including, these contingencies, at 1,220,959*l.* and the certain and possible annual charges at 65,768*l.* 5*s.* 6*d.*

Paper C. c. will exhibit the total annual charge for the whole of these engagements, (subject to a *pro rata* diminution on the last items, if otherwise disposed of,) and the expenditure of the province according to the last estimates, which can scarcely admit of reduction, to the debtor side of the account; and to the creditor side, the probable income arising from taxation, and that arising or to be expected from advances on public works for which the districts are bound to provide by local taxation, or from advances to companies, or from other sources. This account will then exhibit an annual deficiency, under the present revenue, of 28,735*l.*

Lastly, I proceed to show the condition in which the finances of the Province of Canada will stand after the Union, supposing it to be completed upon the terms arranged in the bill submitted to Parliament by your Lordship, and taken in the order in which they stand in the bill. The items are given in paper D. and reference to the separate accounts.

EXPENDITURE.

1. Expenses of collection :—		
These it is unnecessary here to specify, as the net revenue only is stated in the accompanying Returns.		
2. Interest of debt :—		
Lower Canada.—Now payable . . .	£4,753	
Payable in future . .	2,016	
		£6,769
Upper Canada.—Now payable . . .	56,837	
Payable in future . .	8,931	
		65,768
3. Payments to the clergy :—		
Lower Canada	Nil.	
Upper Canada		5,731
These payments are now made from the Crown revenues, but as those revenues will be taken credit for in the income, they will appear on both sides of the account.		
4. Charges for Civil List		75,000
5. Other charges now by law or usage payable :—		
Lower Canada		12,502
Upper Canada		20,978
6. Annual votes for civil expenditure :—		
Lower Canada		64,369
Upper Canada		18,424
		£269,541

REVENUE.

Lower Canada:—		
Ordinary Revenue	£107,075	
Duties under 14th Geo. 3rd, resumed .	19,665	
Crown Revenues	23,400	
Without deducting charges thereon, £2,422.		
		150,140
Upper Canada:—		
Ordinary Revenue	77,234	
Duties under 14th Geo. 3rd, resumed .	15,286	
Crown Revenues ceded	30,000	
Without deducting charges thereon, £7,908.		
		122,520
		£272,660

Against this apparent surplus has to be set the amount of the contingent expenses of the Legislature in future years, which, looking to the past in either province, must be considerable. Whatever may be required for the continuation of the great public works of both provinces, for a general system of education, or for any other improvements, is wholly unprovided for in this statement of the expenditure; and, on the other hand, the receipts will, in 1842, be diminished by the cessation of payments from the Canada Company.

Your Lordship will thus at once perceive that assistance will be required from the mother-country to place the finances of the United Province in a satisfactory condition; and that the aid which I was authorized to promise in order to obtain the assent of the Upper Canada Legislature to the measure, if necessary, must hereafter be afforded.

I was not, it is true, under the necessity of making use of these powers, and I rejoice to think that I found the means of dispensing with them; at the same time one of the main arguments in favour of the Union in that province was felt to be the necessity of extricating the finances from the difficulty under which they laboured, and the confident hope that the Imperial Parliament would assist in doing so.

It will therefore be absolutely necessary that her Majesty's Government should enable the Governor of the province of Canada to afford this relief when the Union is completed, and the financial settlement takes place; and I know of no better means than those originally proposed, — of guaranteeing a loan which would remove a considerable charge arising from the high rate of interest payable by the province on the debt already contracted, or which it would have to pay for raising fresh loans which may be required hereafter for great local improvements.

I shall have the opportunity, when I enter upon the consideration of these works, of explaining more fully the mode in which such a guarantee might be most advantageously afforded; and in what way, under the peculiar terms of

the debt of Upper Canada, great part of which is not redeemable for some years, the relief in question can be best afforded to secure the interests of the province.

In the mean time I must urge upon the immediate attention of her Majesty's Government the pressing point with regard to the deficiency in the Upper Canada revenue for this year, to meet the interest of the debt due in December and to support its credit.

I have, &c.
(Signed) C. Poulett Thomson.

The Right Hon.
Lord John Russell, &c.

[The Accounts referred to follow: they chiefly represent the items of the anticipated income and expenditure, but are not brought under one general balance sheet.]

Copy of a Despatch from Lord John Russell to the Right Hon. Lord Sydenham.—(No. 3.)

Downing-st., 18*th August*, 1840.

My Lord,—I transmit to your Lordship an Order made by her Majesty in Council on the 10th instant, in pursuance of the Act of the last Session of Parliament for re-uniting the Provinces of Upper and Lower Canada, and for the Government of Canada.

Under this Order, and the Act to which it refers, you will be authorised to issue a Proclamation appointing a day upon which the Union of the provinces is to take place. You will issue that Proclamation in the capacity of Governor-General of the two existing Provinces. But from the day so to be appointed, it will be necessary that you should assume the character of Governor of the Province of Canada. To this end you will be appointed to that office by a Commission to be issued for the purpose under the Great Seal of the United Kingdom. That Commission is now in progress; but the necessary official forms cannot, as I understand, be completed before the end of the present month. Consequently the Commission cannot be forwarded to you until early in the month of September, nor can the arrival of it be reasonably anticipated before the month of October.

The Act of Parliament authorises the postponement of the Union until the lapse of fifteen months from the passing of that Act. I do not anticipate that any motive will exist for so long a delay. On the contrary, I apprehend that the measure must be now ripe for execution. Still it may be fit that you should observe that there is no legal obligation to expedite the Union in such a manner as to abridge the time requisite for the completion of all preliminary arrangements, nor to impede the exercise of discretion, should extraordinary circumstances make postponement necessary.

I have, &c.,
(Signed) J. Russell.

The Right Hon.
Lord Sydenham, &c.

(Enclosure in No. 3.)

At the Court at Buckingham Palace, the 10th of August 1840.

Present:—

The QUEEN'S MOST EXCELLENT MAJESTY,
Lord Chancellor,
Lord President,
Lord Privy Seal,
Marquis of Normanby,
Lord Steward,
Lord Chamberlain,
Earl of Albemarle,
Earl of Minto,
Lord John Russell,
Viscount Palmerston,
Viscount Melbourne,
Viscount Duncannon.
Lord Holland.
Sir John Hobhouse, Bart.
Mr. Chancellor of the Exchequer,
Mr. Macaulay.

Whereas, by an Act of Parliament passed in the Session of Parliament, holden in the third and fourth years of her Majesty's reign, intituled "An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada," it is, amongst other things, enacted, That it shall be lawful for her Majesty, with the advice of her Privy Council, to declare, or to authorize the Governor-general of the said two Provinces of Upper and Lower Canada to declare, by Proclamation, that the said provinces, upon, from, and after, a certain day in such proclamation to be appointed, which day shall be within fifteen calendar months next after the passing of the said act, shall form and be one province, under the name of the Province of Canada; and thenceforth the said provinces shall constitute and be one province under the name aforesaid, upon, from, and after the day so appointed as aforesaid.

And whereas, with the advice of her Privy Council, her Majesty is pleased to grant to the said Governor-general the authority in the said act mentioned. Her Majesty doth hereby, with the advice of her Privy Council, and in pursuance and exercise of the powers in her Majesty vested by the said recited act, authorise the Governor-general of the said two Provinces of Upper and Lower Canada to declare by proclamation, that the said provinces upon, from, and after, a certain day, in such proclamation to be appointed, which day shall be within fifteen calendar months next after the passing of the said act, shall form and be one province, under the name of the Province of Canada.

And the Right Honourable Lord John Russell, one of her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. GREVILLE.

EXTRACT OF A DESPATCH FROM THE RIGHT HON. C. POULETT THOMSON TO LORD JOHN RUSSELL, DATED TORONTO, 16TH SEPTEMBER, 1840.—(No. 4.)

I have the honour to acknowledge the receipt of a copy of the Act for Re-uniting the Provinces of Upper and Lower Canada, and for the Government of Canada.

I have carefully perused the act, and I observe with regret that some alterations have been made from the original plan which I transmitted, which will create dif-

ficulty and embarrassment here, especially the restrictions introduced in the schedule for the civil list, to which I before called your attention. There is nothing, however, in those changes which will, I believe, offer any insuperable obstacle to the working of the act.

But it is with the deepest mortification that I find that the whole of the system for the establishment of local government has been omitted from the bill, and that her Majesty's Government and Parliament have contented themselves with the simple legislative re-union of the two provinces, without providing any machinery by which they can be satisfactorily governed when united, or guarding against those evils which have been so severely felt from the absence of local government, and the consequent assumption by the assemblies of functions which did not properly belong to them, evils which will now be increased tenfold, after the two provinces shall have been placed under one government and one legislature.

I need scarcely recal to your Lordship's attention the circumstances connected with this measure. In the year 1839, when the affairs of the Canadas were under the consideration of her Majesty's Government, and it was determined, upon the recommendation of the Earl of Durham, to re-unite the provinces, the Cabinet was so deeply impressed with the truth of his declaration, of the absolute necessity of the establishment by Parliament of a system of local government simultaneously with the measure for the Union, that the plan then submitted and embodied in the bill of that year, proceeded altogether upon that principle. Five districts were created apart from the central legislature, and the whole frame of the measure was erected in accordance with it. I need not either remind your Lordship that whilst this was the unanimous opinion of the Cabinet, those members of it who really took a deep interest in Canadian matters entertained so strongly the opinion of the necessity of enforcing this principle, that they would not have assented to any plan which involved its exclusion. The bill of 1839 was withdrawn, and I was deputed to obtain the assent of the people and legislature of the two Canadas to the Union, and to transmit a plan for effecting it, and for the future government of the two provinces. But in the instructions with which I was honoured with a view to my proceedings, I was emphatically told that one of the most important principles to be kept in view in any measures for the future government of the Canadas was "the establishment of a system of local government by representative bodies freely elected in the various cities, and rural districts." "That after a full investigation of every other plan which has been suggested, her Majesty's Government have not been able to discover in any but this the reasonable hope of a satisfactory settlement." "That attaching minor importance to the details," "they cannot depart from these principles."

Accordingly, in pursuance of the duty assigned to me, and having obtained the assent of the legislature of the two provinces to the terms of the Union as they affected each in its relation to the other, or to the crown, I transmitted such a plan for local government as, whilst it entirely established the

principle for which her Majesty's Government contended, and the adoption of which they and I deemed indispensable, altogether removed the defects of the scheme of last year, and was generally acceptable to the people. This plan received the cordial approbation of her Majesty's Government. Your Lordship did not indeed deem it expedient to introduce to Parliament the clauses for carrying out the provisions for the system which I transmitted to you, but you did more, for you called upon Parliament to enable me to provide all the necessary machinery myself, subject to the leading principles which I had recommended.

Under such circumstances I should have been far less surprised to find the Union Bill abandoned altogether by the Government, than this most essential part of it withdrawn. I should certainly have infinitely preferred that the bill should have been deferred, rather than deprived of what rendered it safe, or gave a fair chance of its being advantageous.

For if, before my better acquaintance with these colonies, the information which I could acquire from the reports of others and from general reasoning, had satisfied me of the necessity, to use the words of Lord Durham, "of making the establishment of good municipal institutions for the whole country a part of the colonial constitution;" the opportunity I have now had of studying the state of the British North American provinces—of observing the social condition of the people, and the working of the constitutions under which they have been governed—has convinced me that the cause of nearly all the difficulty in the government of every one of them, is to be found in the absence of any well-organised system of local government.

Owing to this, duties the most unfit to be discharged by the general legislature are thrown upon it; powers equally dangerous to the subject and to the crown are assumed by the Assembly. The people receive no training in those habits of self-government which are indispensable to enable them rightly to exercise the power of choosing representatives in Parliament. No field is open for the gratification of ambition in a narrow circle, and no opportunity given for testing the talents or integrity of those who are candidates for popular favour. The people acquire no habits of self-dependence for the attainment of their own local objects. Whatever uneasiness they may feel—whatever little improvement in their respective neighbourhoods may appear to be neglected, afford grounds for complaint against the executive. All is charged directly upon the Government, and a host of discontented spirits are ever ready to excite these feelings. On the other hand, whilst the Government is thus brought directly in contact with the people, it has neither any officer in its own confidence in the different parts of these extended provinces from whom it can seek information, nor is there any recognized body enjoying the public confidence with whom it can communicate, either to determine what are the real wants and wishes of the locality, or through whom it may afford explanation.

Hence the readiness with which a demand for organic changes in the constitution has been received by the people.

Upon every consideration, therefore, I am of opinion that it was our duty to seize the first opportunity of supplying, through the Imperial Legislature, this capital omission in the constitution of these colonies, by the establishment of a good system of local government; and although the act would, in fact, only have extended to the Canadas, I entertain no doubt that with such an authority before them, similar provisions would have been adopted by the legislatures in Nova Scotia and New Brunswick, where the defect is no less glaring.

But it may be said, why not trust to the provincial legislatures for the establishment of such institutions if they are needed?

Lord Durham has given the reply which certainly appeared last year conclusive to her Majesty's Government, and the correctness of which I can now confirm—"That it is vain to expect that such a sacrifice of power will be voluntarily made by a representative body;" and to this I may also add, that although, after a considerable time and much excitement, the people might compel their representatives to establish such a system, it is so easy to mislead them by representations against taxation; although no more is in fact intended than to give the *power* of taxation by themselves for their own local objects: and the argument in favour of its being the *duty* of the Government to find money for all their wants, is so specious and popular, that it would probably be some time before the people exerted themselves strenuously for this purpose; and when they did, I greatly doubt whether it would be possible to obtain those checks against abuse without which the system would fail; and which it was my object to introduce in the manner submitted by me to her Majesty's Government and approved by them.

With reference, therefore, to the future interests of all her Majesty's North American possessions, I deeply deplore the determination which has been taken; whilst with regard to the immediate and practical matter before me—namely, the government of the two Canadas under the Union Act, I confess that I am almost at a loss to conceive how it is proposed that it should be conducted.

Under the provisions of the Union Act, not only will the general affairs of a country 1200 miles long be placed under the direction of one executive authority, thus distant from places where it may be called upon to act; but the local concerns of every district, and even village, through that vast extent of territory, must be more or less under its superintendence, and that too in matters of which it can know little or nothing. The provision by which the initiative of all money votes is confined to the Governor, is a most valuable and important change in the constitution of these provinces; but it places a responsibility on the executive which can only be exercised under a system which relieves the public funds from demands for every little paltry expenditure, and confines their application to matters of general utility. As the Act now stands, the executive Government will be called upon to propose every grant of 5*l.* or 10*l.* for a road or a bridge 600 or 700 miles from the seat of Government; of the merits of which it can know nothing, and

of which it can learn nothing, except through representations which it has no opportunity of testing. If it acts, therefore, it will probably act wrong; if it does not, it is at once exposed to the reproach of having neglected the interests of the locality which it was bound to consider and advance. Whilst these duties are imposed upon it, too, no means whatever are afforded by which it can acquire information, or exercise the slightest control. In Upper Canada it is true that there is some machinery in the different districts now established by law, which will prevent the executive from being wholly powerless. There is an organization in each district of sheriffs, grand juries, &c., and the magistrates possess under the provincial laws certain powers which, although defective, still afford the means of going on. But in Lower Canada this is entirely wanting; and the division there for judicial purposes is of a character which affords no assistance whatever with respect to the rural districts of the province. The hand of the Government is entirely unknown and unfelt throughout them. If I had to seek for information from any place from ten to 150 miles from Quebec or Montreal, I possess no means whatever of obtaining it, except from the authorities called into existence by the rebellion, and for whose permanency there is no security whatever. If the executive seeks to know the opinion of the people with regard to any improvement, there is no one to whom application can be made. In a word, every country district throughout the whole of the vast province of Lower Canada, is as completely cut off from any connection with the executive, as if it were on the other side of the Atlantic, and under a different form of government.

I certainly was impressed with the opinion that the existence of this state of things must be fully known to her Majesty's Government, and that after the deliberate judgment that had been arrived at last year, and the instructions I had received, it was, therefore, unnecessary for me to have repeated any statement, or have furnished any fresh argument in support of the principle of local government.

It remains for me, however, now only to consider the course which I can pursue under the determination which has been arrived at.

Entertaining so strongly as I do the conviction that the principal advantages intended by the Union Act are defeated by the omission of this part of the scheme, I confess that I should strongly incline to defer acting upon the powers conferred by it, and proclaiming the Union at all, until Parliament had again had an opportunity of reconsidering these clauses. But I must acknowledge that the delay which would thus arise, and the reopening the Canada question in England, where unfortunately, all that relates to this country is so little understood, would be probably attended with greater evils, and I cannot, therefore, take on myself the responsibility of recommending that course.

But failing this, it would be far more grateful to me, with the opinions I hold on this subject, that her Majesty's Government should confide the attempt to work out this new measure to other hands than mine, and nothing but the anxiety which I

feel to discharge my duty to the Queen to the last, and the deep interest which I now take in what concerns these provinces, would lead me to attempt the task under circumstances which I consider almost hopeless.

I am willing, however, if required, to yield to that consideration, and above all, to the feelings of the people here, of whose confidence I have lately received so many and such flattering proofs, and I shall endeavour to work out the Act as it stands, by such means as I possess.

For Upper Canada it is out of my power to make any provision. In Lower Canada, however, I shall, with the assistance of the Special Council, provide such a system as may supply a part at least of what was intended to be given under the provisions of the Bill; at all events to the extent which is necessary to carry out fully the different ordinances of that body which have already passed, and provide for some local organization for the wants of the country districts. The Council will, under any circumstances, meet the middle of next month, to complete its labours preparatory to the Union; and I shall then propose to them measures to this effect.

I shall then be able to proclaim the Union at the earliest period at which, looking to the time when the elections could be held, and to the financial concerns of both provinces it would be possible, namely, at the beginning of January. The elections will take place as soon afterwards as they conveniently can, and when the united Parliament meets, I shall propose to them, on the part of the Government, to adopt for the whole province a system of local government which will already have been in operation here, with such additions as may appear necessary.

COPY OF A DESPATCH FROM LORD JOHN RUSSELL TO THE RIGHT HON. LORD SYDENHAM.—(No. 5.)

Downing Street, October 25, 1840.

My Lord,—I have received your Lordship's Despatch, No. 160, of the 16th of September, pointing out the injurious consequences which you anticipate from the departure in the Act for the reunion of Canada, from the Bill which you had proposed, and more particularly from the omission of legislative provision for local government.

Partaking as I do in the general opinions which you have expressed or this subject, I nevertheless could not supply the want of Canadian authority for the municipal clauses, which induced Sir R. Peel and Lord Stanley, friendly as they were to the Bill, to support their omission. I may also observe that Mr. Gillespie and others in this country well acquainted with Canada, concurred in the objections made to those clauses in the House of Commons.

The benefit of municipal government being so great, it is difficult to conceive that the legislature of the United Province can long resist the introduction of a system so useful to the interests, and so directly tending to increase the power of the people, when recommended warmly and repeatedly by the executive of the province and supported by the Crown.

I have, &c.,

(Signed) J. RUSSELL.

The Right Hon. Lord Sydenham, &c.

COPY OF A DESPATCH FROM THE RIGHT HON. LORD SYDENHAM TO LORD JOHN RUSSELL.—(No. 6.)

Government House, Montreal, September 27, 1840.

My Lord,—I have the honour to inform you that I returned to this city on Thursday last, the 24th instant.

I shall transmit to your Lordship, by the next mail, copies of the various addresses which I have received during my tour, and of my replies. In the mean time, it affords me the most sincere satisfaction to be enabled to say that, throughout the very extensive district of country which I have visited, comprising nearly the whole of the province of Upper Canada, the best possible spirit prevails.

From the province line to Amherstburg and Sandwich, from Lake Erie to Penetanguishine, I have everywhere found a determination to forget past differences, and to unite in an endeavour to obtain, under the Act of Union, those practical measures for the improvement of the country which have been too long neglected in the struggle for party and personal objects. At Toronto, even, where party spirit reigns with more violence than in any other part, the general feeling of the province at last prevailed over the opinions of the extremes, and I met there with a most cordial reception from all parties, and had the opportunity, of which I was glad to avail myself, of doing much to soften down the asperities which had existed.

Amongst the British inhabitants of this part of Lower Canada, I am also happy to say that the same good feeling reigns, and the same confidence in the principles upon which I have conducted my government, and in the exertions I have made to introduce improvement.

The citizens of Montreal had prepared a public entry for my return, which I have reason to know would have been most numerously attended, but this I was compelled from illness to decline.

Of many of the French Canadians I am sorry to say that the reports which reach me are not so favourable; great efforts are made by some few of the leaders of the old Papineau party to mislead the people, and they are seconded in the most mischievous manner by Mr. Neilson of Quebec. But, although they may be successful in imposing on the credulity and ignorance of the habitans so far as to obtain the return to the United Legislature of a small party of violent men opposed to British connexion, I am satisfied that they will not again induce the peasantry to support any attempts at disturbance.

I should do injustice to my own feelings if I were not to state to your Lordship the impression which has been left on my mind by the inspection which I have made of the Upper Province. It is really impossible to say too much of the advantages which nature has bestowed upon it, especially that part of the country which lies between the three lakes, Ontario, Erie, and Huron. If these great advantages be properly used, I foresee that in the course of a very few years that province must become one of the most valuable possessions of the British empire. Its population may be trebled, and its products increased in an immense ratio; whilst, if properly

governed, its inhabitants will, I am satisfied, become the most loyal, intelligent, and industrious subjects which her Majesty can number. I have, &c.,

(Signed) SYDENHAM.

The Right Hon. Lord John Russell, &c.

COPY OF A DESPATCH FROM THE RIGHT HON. LORD SYDENHAM TO LORD JOHN RUSSELL.—(No. 12.)

Government House, Montreal, February 16, 1841.

My Lord,—I have the honour to inform your Lordship that, in pursuance of the authority vested in me by the Royal Commission, and by the Order of her Majesty in Council of the 10th of August last, I on the 5th instant issued a proclamation, a copy of which is enclosed, appointing the 10th instant as the day on which the union of the provinces of Upper and Lower Canada should take effect. On that day I accordingly took the oaths and assumed the office of Captain-General and Governor-in-Chief of the United Province, according to the form prescribed by the Royal Commission. I the same day issued a commission to Sir George Arthur, appointing him to discharge the duties of Deputy-Governor for that part of the province heretofore Upper Canada, and investing him with all the authority previously belonging to him as Lieutenant-Governor of Upper Canada, with the exception of the use of the great seal.

Sir George Arthur had most kindly consented, at my request, to defer his departure until the middle of next month, and to undertake this duty; and I beg to take this opportunity of expressing to your Lordship my sense of the very generous conduct of his Excellency in thus affording his assistance to prevent inconvenience to the public service, and render more easy the passage from two distinct governments to one.

I enclose copies of the official correspondence which has passed between us on this subject.

The considerations which induced me to select the 10th of February as the day on which the Union should be brought into operation will readily occur to your Lordship. It is the anniversary of the marriage of our Sovereign; it is also peculiarly remarkable in Canadian history, as the anniversary of the conclusion at Paris of the definitive treaty of peace, by which Canada was surrendered to the British Crown; and as the day on which, three years ago, the Act of the British Parliament for the suspension of the Constitution of Lower Canada received the Royal assent. It was, moreover, the day on which the Legislature of Upper Canada was last year prorogued, and on which, therefore, had the Act of the 31st George 3rd., cap. 31, remained in force, it would have been necessary that that Legislature should again have come together.

On the occasion of the Union, I took the opportunity of addressing the inhabitants of Canada generally, through a proclamation, urging on them the necessity of a cordial co-operation of all classes to promote the common welfare, and to carry out the views with which the Imperial Parliament had adopted the measure of reuniting the two provinces. Of

this proclamation I enclose a copy.

On the 15th instant I issued a proclamation, summoning the Parliament of the United Province to meet at Kingston; the writs to be tested on the 19th instant, and to be returnable on the 8th of April.

The meeting of the Legislature, for the dispatch of business, I hope to be able to fix for a day about the middle of May, by which time I expect the water communication will be open, and the arrangements requisite for the accommodation of the two Houses, and of the government departments, completed.

It will of course be necessary, in consequence of the Union, to remodel the principal government officers; and to this task I shall immediately address myself. The only appointments which I have hitherto made are, of Mr. Daly, late Provincial Secretary of Lower Canada, and Mr. Harrison, late Civil Secretary of Upper Canada, to be Secretaries for the United Province. Mr. Dunn, late Receiver-General of Upper Canada, I shall appoint immediately Receiver-General of the United Province, as it appears that until such an appointment be made, it will be impossible to draw from the public chest any of the moneys appropriated by law to the public service.

I have nominated as members of my Executive Council Messrs. R. B. Sullivan, J. H. Dunn, D. Daly, S. B. Harrison, C. R. Ogden (Attorney-General for Lower Canada), W. H. Draper (Attorney-General for Upper Canada), Robert Baldwin (Solicitor-General for Upper Canada), and Charles D. Day (Solicitor-General for Lower Canada;) and I have to request that your Lordship will submit their names for her Majesty's approbation. Messrs. Daly, Harrison, Ogden, and Draper, have already been sworn in; the others will take the oaths on the first convenient opportunity.

It is my intention hereafter to furnish your Lordship with a report on the arrangements which I shall make for the future conduct of the Government of Canada, and I shall then state to your Lordship the names of those whom I would submit to her Majesty to be appointed to the several offices not now mentioned, and I shall explain the alterations which I propose to make for the better conduct of the public business. My arrangements being at present incomplete, I feel that it is more convenient to postpone for a short time such a communication.

I have, &c.,
(Signed) SYDENHAM.

The Right Hon.
Lord John Russell, &c.

(Enclosure 1 in No. 12.)

A PROCLAMATION.

PROVINCE OF LOWER CANADA.—SYDENHAM.

VICTORIA, *by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.*

To all our loving subjects whom these presents may concern, greeting:—

Whereas, for the good government of our Provinces of Upper Canada and Lower Canada, and for the security of the rights and liberties and the preservation of

the interests of all classes of our subjects within the same, it is by an Act of Parliament of the United Kingdom of Great Britain and Ireland, made and passed in the fourth year of our reign, intituled, "An Act to Reunite the Provinces of Upper Canada and Lower Canada, and for the Government of Canada," amongst other things enacted, that it shall be lawful for us, with the advice of our Privy Council, to declare or to authorize the Governor-General of our said two Provinces of Upper and Lower Canada to declare that the said two Provinces upon, from, and after a certain day, in such Proclamation to be appointed, such day being within fifteen calendar months next after the passing of the said Act, shall form and be one province, under the name of the Province of Canada, and thenceforth the said province shall constitute and be one province, under the name aforesaid, upon, from, and after the day so appointed as aforesaid. And whereas in pursuance and exercise of the powers so vested in us by the said recited Act, we did on the 10th day of August, 1840, with the advice of our Privy Council, authorize the Governor-General of the said two Provinces of Upper and Lower Canada, to declare by Proclamation that the said two provinces, upon, from, and after a certain day, in such Proclamation to be appointed, such day being within fifteen calendar months next after the passing of the said Act, should form and be one province, under the name of the Province of Canada.

Now know ye, therefore, that our right trusty and well-beloved Councillor, Charles Baron Sydenham, our Governor-General of our said two Provinces of Upper and Lower Canada, hath, in pursuance of the provisions of the said recited Act, and under and by virtue of the power and authority by us granted to him as aforesaid determined to declare, and it is by this our Royal Proclamation declared, that the said provinces, upon, from, and after the 10th day of this present month of February, shall form, and be one province, under the name of the Province of Canada, of which all our loving subjects and all others concerned are to take notice, and govern themselves accordingly.

In testimony whereof we have caused these our letters to be made patent, and the great seal of our said Province of Lower Canada to be hereunto affixed.

Witness our right trusty and well-beloved Charles Baron Sydenham, of Sydenham, in the county of Kent, and Toronto in Canada, Governor-General of British North America, and Captain-General and Governor-in-Chief in and over our Provinces of Lower Canada and Upper Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same.

At our Government House in our city of Montreal, in our said Province of Lower Canada, the fifth day of February, in the year of our Lord, one thousand eight hundred and forty-one, and in the fourth year of our reign.

(By command)

(Signed) D. Daly.

Secretary of the Province.

(Enclosure 3 in No. 12.)

PROVINCE OF LOWER CANADA.—SYDENHAM.

His Excellency the Right Honourable CHARLES *Baron* SYDENHAM, *of Sydenham, in the County of Kent, and Toronto in Canada, one of her Majesty's Most Honourable Privy Council, Governor-General of British North America, and Captain-General and Governor-in-Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same:*

A PROCLAMATION.

In obedience to the commands of the Queen, I have this day assumed the Government of the Province of Canada. Upper and Lower Canada, separated for fifty years, are once more reunited, and henceforward form one province, under one administration.

On my arrival in Lower Canada, I declared that one of the main objects of my mission, was to put an end to the suspension of the constitution of that province, and to restore to its inhabitants the full benefit of British institutions. That object is accomplished. By the Imperial Act, which fixes the Union, representative government is again established, and that control by the people over their own affairs, which is deemed the highest privilege of Britons, is once more restored to them. The Act which provides for this affixes certain conditions to the grant, over which the Provincial Legislature can exercise no authority, while it leaves to the final arbitration of that Legislature all questions but those which the Imperial Parliament in its wisdom has deemed essential itself to determine—the legislative reunion, the establishment of a secure and firm administration of government, and the maintenance of the due relations of colony and parent state. Efforts have been sedulously made to deceive the unwary, and especially some of our fellow-subjects of French origin, upon this point, to represent these provisions as injurious, to treat them as susceptible of change here, and to excite opposition, which can only prove as mischievous as it must be useless.

I rely, however, on these efforts proving unavailing; and I appeal with confidence to the loyalty and good sense of the inhabitants of Lower Canada, of whatever origin, so to use the power which is now again committed to their hands as to justify the trust which our Sovereign and the Imperial Parliament have reposed in them, and cordially to join in an endeavour to promote the common interest of the United Province.

In Upper Canada the sense of the people was declared, fully and freely through their constitutional organs, upon the great question of the Union itself, and on the principles on which it should be based. Those principles have been adopted by the Imperial Parliament; and it will ever be matter of the utmost gratification to me that my humble efforts have aided in perfecting a measure securing, as I firmly believe, to that province, which I regard with feelings of

affection as well as interest, advantages which it could attain by no other means.

Inhabitants of the Province of Canada! henceforward may you be united in sentiment, as you are from this day in name. Who can visit, as it has been my good fortune to do, the extensive regions which are now united in one common denomination, and fail to acknowledge the vast resources they present for all that can conduce to the comforts and happiness of man? A part of the mighty empire of England, protected by her arms, assisted by her treasury, admitted to all the benefits of trade as her citizens, your freedom guaranteed by her laws, and your rights supported by the sympathy of your fellow-subjects there — Canada enjoys a position unsurpassed by any country in the world.

It is for you, its inhabitants, to cultivate these advantages, to avail yourselves of the new era which now opens upon you. Our gracious Sovereign and the people in England watch with anxiety the result of the great change which has to-day received its completion. It is the first wish of the Queen to rule in the hearts of her subjects, and to feel that they are contented and prosperous under her mild and just sway. Her Parliament and Government, in conferring on you new institutions, have sought only your happiness and advantage. In your hands rests now your own fate; and by the use which you will make of the opportunity must it be decided. May the All-wise Disposer of events so ordain your acts, that they may tend to the promotion of peace and happiness amongst you; and may He pour his blessing upon that Union of which it is my pleasing duty this day to announce to you the completion.

Given under my hand and seal at arms at the Government-house, in the city of Montreal, in the said Province of Canada, the tenth day of February, in the year of our Lord one thousand eight hundred and forty-one, and in the fourth year of her Majesty's reign.

By command,

(Signed) D. Daly,

Secretary of the Province.

Copy of a Despatch from Lord John Russell to the Right Hon. Lord Sydenham.—(No. 18.)

Downing Street, May 3, 1841.

My Lord, — The despatches which I have received from you on the general state of the Province of Canada, the reports with which you have furnished me on several important subjects, and the approaching meeting of the Council and Assembly of the United Province, have induced me to explain to you at this time the views which her Majesty's Government entertain on the topics most interesting to the welfare of Canada.

In any measures that may be adopted, it must be taken for granted that her Majesty persists in the determination to maintain at all hazards her royal authority in Canada. Neither the honour of her Majesty's Crown, nor the support due to her loyal subjects in British North America, nor the provident care of the interests of the empire at large, would permit any deviation from this fixed principle of British policy.

At the same time her Majesty's

advisers are not insensible to the difficulties imposed upon them in carrying into execution the purpose of the Crown. A province, bordered by an open frontier of more than a thousand miles, approached with ease at all times by the citizens of a neighbouring and powerful state, separated from England not only by the ocean but by the rigours of climate and season, must be maintained by a judicious preparation for defence in time of peace, and a vigorous exertion of the resources of the empire in time of war—or not at all. To trifle with the fortunes of men whose lives and properties are freely devoted to the service of England, or to encourage foreign aggression by neglect or apathy, would be far worse than the spontaneous surrender of these important possessions of the Crown. The Canadians might in such a case incur no risk, no blood need be shed, and the treasures of the empire might be spared. The other course would be cruel to a brave people, and unbecoming the character of the country.

But, as I have already said, we have no alternative. We have only to consider the means of binding Canada more firmly to this country, of developing her resources, of strengthening her British population, of defending her territory, and of supporting and encouraging the loyal spirit of her people.

In this spirit, then, I shall touch upon the principal topics connected with these views:—

1.—Finance.

You have stated the debt of the United Province to amount to 1,226,000*l.*, and with the sum required to complete public works necessary for the free passage between the western portion of the province, the St. Lawrence and the sea, to about 1,500,000*l.*

The Queen's Government coincide in your views of the expediency of making such an arrangement as may employ the credit of this country for the benefit of the finances of Canada, and have given their best consideration to the plan proposed in your despatches. They are of opinion that such an arrangement, if it can be carried into effect, with the consent of the creditors, would be in every way desirable, but they feel that the objections to a bill, compelling parties to receive payment of their money in breach of agreements entered into with them by competent authority, are insuperable.

Her Majesty's Government are ready to give any assistance in conformity with your proposal which does not appear to them inconsistent with good faith. They are ready to propose to Parliament to guarantee a loan which may be required for public works (under the restrictions suggested by you), for the repayment of such part of the debt as may be now redeemable, or may be held by creditors, who shall declare themselves willing to accept reasonable terms.

With regard to this latter sum, it appears to the Government most expedient that you should fix such terms as you may consider sufficient to induce the creditors to accept the proposed equivalent (not of course exceeding 100*l.* for every nominal 100*l.* lent); that you should make known such tender in such way as may appear to you most advisable, giving the holders sufficient notice and information, and fixing a given day before which the willingness of the par-

ties to accept such offer should be sent in.

To do this, an Act of the Canada Legislature will be necessary, and when that is obtained the subsequent arrangements might be made; or through some party deputed on the part of the Canadas to this country with full instructions.

It may, perhaps, be also expedient at the same time by law to enable trustees, &c., to account, as in cases where the interest of loans are received in this country. Upon receiving the information of the assent of the parties accepting the terms proposed, the necessary means may be taken in this country to raise the requisite funds; and it may be expedient that you should fix the day for the paying off such assenting creditors and other claims at a time when the Parliament of this country is sitting; for should it be necessary to have recourse to a loan, such a measure has always been considered open to objection during the prorogation of Parliament.

2.—Defence.

I have perused with great interest the enclosures in your despatch of the 24th of December, containing reports from Lieutenant-General Sir Richard Jackson, and Colonel Oldfield, the commanding officer of engineers, on this subject.

The question is one of so much importance, that I was not satisfied with referring your despatch to the Master-General and Board of Ordnance, but I also asked the opinion of the Commander-in-Chief, and requested him to consult the Duke of Wellington, whose high authority on every military subject is in this instance of peculiar weight, from the attention he has for many years given to this matter, both on political and on military grounds. Their opinions are transmitted with this despatch.

Her Majesty's Government agree in opinion with Lord Hill and Sir Richard Jackson, that "no dependence upon the decided superiority of our troops, and arrangements made for defence connected with them, should lead us to neglect the construction and completion of permanent works calculated for the protection of the points of most importance to us."

They likewise concur in his Lordship's opinion, that in the event of the construction of these or any other works, a large effective regular force, and a militia, registered and enrolled, but not called from their districts, except in case of invasion, will be indispensable.

But it cannot be reasonably expected that works on a large scale should be undertaken without reference to the great expense to be incurred.

I have therefore to inform you that the Government are prepared to state their opinion that, beyond the ordinary estimates of the year, 100,000*l.* should yearly be applied for the defence of Canada. At present, this sum is nearly absorbed in the maintenance of the militia and volunteers. But by a more economical plan this expense might be greatly diminished, and a great portion of the sum of 100,000*l.* left for the improvement of military communications, and the erection or repair of fortifications.

You will hear further from me on this point when I have more

fully considered the various plans proposed.

3.—Emigration.

I have read with great interest your despatches on this subject, and I agree with you in opinion that it would not be wise for this country to engage to convey emigrants to Canada at the public expense. But neither can I agree that this country ought to pledge itself indefinitely to the expense of maintaining the emigrants in Canada till they are able to obtain employment.

I quite concur, however, in the sense you entertain of the importance of the object.

It is a hardship to Canada that she should be obliged to maintain the pauper emigrants from the United Kingdom, who arrive in a state of destitution and disease. But this object was formerly provided for by the imposition of the emigrant tax, and I think the renewal of this tax should be recommended to the Legislature of Canada.

I have recommended to the Treasury that the expense thus incurred by the emigrant should, in consideration of the great political advantages likely to flow from emigration to Canada, be defrayed by this country.

Supposing a tax of 5*s.* a-head, 32,000 emigrants might be freed from the tax for 8,000*l.* This is a sum which I think Parliament might be asked to vote for so important an object. The tax might then be paid in Canada, not by the captain of the passenger ship, but by the Commissary-General, on proper vouchers of the number of emigrants landed.

In this case, the only emigrants paid for must be those whose fitness for emigration had been previously attested by an emigration agent in this country.

The emigrant tax would then act as a check, and very properly so, on those who could not obtain the attestation required.

I have now adverted to the three principal topics to which I have called the attention of the Queen's confidential servants. There are many others of great importance to the welfare of Canada, but upon which I am anxious to receive your reports before proceeding further.

Of this kind are the engagements of the Land Companies, and the future disposal of the Crown Lands.

The means of communication for commercial purposes within the British territory, through the whole length of Canada, must always be a matter of the highest interest, both to Canada and to this country. But it seems to me that with a Legislature in Canada disposed to co-operate with the Queen and the Parliament of the United Kingdom, in developing her vast and unexplored resources, there is every hope that we shall behold the prosperity of that noble province augment every year, and add more and more to the strength and stability of the empire.

I have, &c.,

(Signed) J. Russell.

The Right Hon. Lord Sydenham, &c.

III.—INTERNATIONAL.

Convention between her Majesty and the Republic of Hayti, containing the accession of that Republic to two Conventions between Great Britain and France, for the more effectual suppression of the Slave Trade.

Signed at Port-au-Prince, December 23, 1839.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, having, conformably to the IXth Article of the Convention concluded on the 30th of November, 1831, between Great Britain and France, for the suppression of the Slave Trade, invited the President of the Republic of Hayti to accede to the said Convention;

And the President of the Republic of Hayti, equally animated with the desire to concur in the same humane object, having cordially assented to this proposal;

The two high powers, with the view of accomplishing this generous design, and of giving due authenticity, and all accustomed solemnity, to the accession of the President of the Republic of Hayti, and to the acceptance thereof by her Britannic Majesty, have resolved to conclude to this effect a formal convention, and have in consequence named for their Plenipotentiaries, that is to

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, George William Conway Courtenay, Esquire, a Captain in her navy, and her Consul in Hayti;

And the President of the Republic of Hayti, the senator Noel Viallet;

Who, after having reciprocally communicated to each other their full powers, found to be in good and due form, have agreed upon the following Articles:—

Article I.—The President of the Republic of Hayti accedes to the Conventions concluded and signed on the 30th of November, 1831, and on the 22nd of March, 1833, between his late Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the King of the French, relating to the suppression of the Slave Trade, as well as to the annex of the latter Convention containing Instructions to cruizers, excepting the reservations and modifications expressed in the Articles II., III., IV., and V., hereinafter given, which Articles shall be considered additional to the said Conventions and to the Annex above mentioned; and excepting the differences which necessarily result from the situation of the President of the Republic of Hayti, as a party acceding to these Conventions after their conclusion.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland accepts the accession of the President of the Republic of Hayti.

Therefore, all the Articles of the two Conventions aforesaid, and all the conditions of the said Annex,

shall, excepting the reservations and modifications aforesaid, be held to have been concluded and signed, in the same manner as the present Convention, directly between her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the President of the Republic of Hayti.

The high contracting parties engage and promise reciprocally to each other, to execute faithfully all the clauses conditions, and obligations of the present Convention, subject always to the reservations and modifications therein contained; and in order to prevent any uncertainty, it has been agreed that the above mentioned Conventions, and the Annex of the latter, containing instructions to cruizers, shall be inserted here, word for word, as follows:—

[Here follow the Conventions of November 30, 1831, and March 22, 1833, and the Annex containing the Instructions to cruizers, which have already been laid before Parliament.]

Article II.—It is agreed, with reference to the Vth Article of the instructions annexed to the Supplementary Convention of the 22nd of March, 1833, that all vessels bearing the Haytian flag, and appearing by their papers to belong to Hayti, which shall be detained in execution of the Conventions above described, by the cruizers of her Majesty the Queen of the United Kingdom of Great Britain and Ireland, shall be conducted or sent to Port-au-Prince, capital of the Republic of Hayti.

Article III.—If the Republic of Hayti should not deem it expedient to fit out cruizers for the suppression of the Slave Trade, it nevertheless engages to furnish the special authority or warrant required by the Vth Article of the Convention of the 30th November, 1831, to the commanders of the British cruizers, as soon as the names and the number thereof shall have been notified to the republic.

Article IV.—Whereas the Islands of Cuba and of Porto Rico are only separated from the Island of Hayti by a narrow strait each; and whereas the Republic of Hayti, as a free, sovereign, and independent state, possesses the exclusive right of police within its own waters; it is agreed that, by exception to Nos. 3 and 4 of Article I. of the Convention of the 30th November, 1831, British cruizers shall not search Haytian vessels navigating within that half of one or the other strait contiguous to the coasts of Hayti.

Article V.—It is also agreed:

1st. That Article II. of the Convention of the 30th of November, 1831, Article I. of the Convention of the 22nd of March, 1833, and No. 1 of the instructions thereunto annexed, shall, as far as the commanders of Haytian cruizers are concerned, be understood in this sense, that the said commanders shall be of the ranks therein specified, or of corresponding ranks.

2nd. That by exception to Article V. of the Convention of the 22nd March, 1833, that portion of the net produce of the sale of the captured vessels and of their cargoes, which falls to the share of the British cruizers, shall, conformably to the Haytian laws, be only fifty per cent. of the net produce of the sale; and it is further understood that no kind of head money will be due by the Haytian Government on captives found on board the said ships, and landed in the republic.

3rd. That the last paragraph of

Article XI. of the Convention of the 22nd March, 1833, viz., "*They reserve to themselves, however, for the welfare of the slaves themselves, the right to employ them as servants or free labourers, conformably to their respective laws;*" shall be held null and void as regards the Haytian Government, inasmuch as the liberty they will enjoy in Hayti will, conformably to the intention of the constitution, be full, entire, and without restraint; and as, according to a law passed on the 19th of November last, the Republic has proclaimed that it will provide for their welfare.

Article VI.—The present Convention shall be ratified, and the ratifications thereof shall be exchanged at Port-au-Prince within the space of six months, or sooner if possible.

In witness whereof, the above-named Plenipotentiaries have signed the present Convention, and have affixed thereto the seals of their arms.

Done at Port-au-Prince, the twenty-third of December, one thousand eight hundred and thirty-nine.

(L.S.) G. W. C. Courtenay.
(L.S.) N. Viallet.

Treaty between Her Majesty and the Argentine Confederation, for the abolition of the Slave Trade.

Signed at Buenos Ayres, May 24th, 1839.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Argentine Confederation, being equally animated by a sincere desire to co-operate for the utter extinction of the infamous and piratical traffic in slaves, have resolved to conclude a Treaty for the special purpose of attaining this object, so far as relates to the total and final abolition of the Slave Trade in the Argentine Confederation; and have respectively named for this purpose, as their Plenipotentiaries to wit: John Henry Mandeville, esq., her said Majesty's Minister Plenipotentiary to the United Provinces of the Rio de la Plata; and Senor Don Felipe de Arana, Minister for Foreign Affairs, and Member of the Council; who, having duly communicated to each other their respective full powers, and found them to be in proper form, have agreed upon and concluded the following Articles:—

Article I.—The Slave Trade having been legally abolished throughout the territories of the Argentine Confederation, is hereby declared to be henceforward and for ever totally prohibited to all the citizens of the said republic, in all parts of the world.

Article II.—The Argentine Confederation hereby engage, that immediately after the exchange of the ratifications of the present Treaty, and from time to time afterwards, as may become needful, they will take the most effectual measures for preventing the citizens of the said republic from being concerned, and the flag of that republic from being used, in carrying on, in any way, the trade

in Slaves; and the said republic especially engages that, within two months after the above-mentioned exchange of ratifications, they will renew the promulgation, throughout the territory of the republic, of the penal law by which the Slave Trade has been declared piracy; and that the punishment attached to piracy shall be inflicted on all those citizens who shall, under any pretext whatever, take any part whatever in the traffic of Slaves.

Article III.—In order more completely to accomplish the object of the present Treaty, the two high contracting parties mutually consent that those ships of their navies respectively, which shall be provided with special instructions for that purpose, as hereinafter mentioned, may visit such merchant vessels of the two nations as may, upon reasonable grounds, be suspected of being engaged in the traffic in Slaves, or of having been fitted out for the purposes thereof, or of having, during the voyage in which they are met with by the said cruisers, been engaged in the traffic in Slaves, contrary to the provisions of this Treaty; and that such cruisers may detain, and send or carry away such vessels, in order that they may be brought to trial in the manner hereinafter agreed upon

Article IV.—In order to regulate the mode of carrying the provisions of the preceding Article into execution, it is agreed:

1st. That all ships of the navies of the two nations, which shall hereafter be employed to prevent the traffic in Slaves, shall be furnished by their respective Governments with a copy, in the English and Spanish languages, of the present Treaty; of the instructions for cruizers annexed thereto, letter A; and of the regulations for the Mixed Courts of Justice, annexed thereto, letter B; which Annexes shall be considered as integral parts of the Treaty.

2ndly. That each of the high contracting parties shall, from time to time, communicate to the other the names of the several ships which have been furnished with such instructions, the force of each ship, and the names of their several commanders.

3rdly. That if, at any time, there shall be just cause to suspect that any merchant vessel, sailing under the flag of either nation, and proceeding under the convoy of any ship or ships of war of either of the contracting parties, is engaged, or is intended to be engaged, in the traffic in Slaves, or is fitted out for the purposes thereof, or has, during the voyage on which she may be met with, been engaged in the traffic in Slaves, it shall be lawful for the commander of any ship of the Royal navy of Great Britain, or of the navy of the Argentine Confederation, furnished with such instructions as aforesaid, to communicate his suspicions to the commander of the convoy, who, accompanied by the commander of the cruizer, shall proceed to the search of the suspected vessel; and in case the suspicions appear well founded, according to the tenor of this Treaty, then the said vessel shall be conducted or sent to one of the points where the Mixed Courts of Justice are stationed, in order to undergo the sentence applicable to the case.

4thly. It is further mutually agreed, that the commanders of the ships of the two navies re-

spectively, who shall be employed on this service, shall adhere strictly to the exact tenor of the aforesaid instructions.

ARTICLE V.—As the two preceding Articles are entirely reciprocal, the two high contracting parties engage mutually to make good any losses which their respective subjects or citizens may incur by the arbitrary and illegal detention of their vessels; it being understood that this indemnity shall invariably be borne by the Government whose cruizer shall have been guilty of such arbitrary and illegal detention. It is further agreed, that the visit and detention of vessels specified in the third Article of this Treaty, shall be effected only by those British or Argentine ships which may form part of the navies (Royal and National) respectively of the two high contracting parties to this Treaty; and by such ships only of those navies as shall be provided with the special instructions annexed to the present Treaty.

The compensation for damages mentioned in this Article shall be made within the term of one year, reckoned from the day on which the Mixed Court of Justice pronounces sentence on the vessel, for the detention of which such compensation is claimed.

ARTICLE VI.—In order to bring to adjudication, with as little delay and inconvenience as possible, vessels which may be detained according to the tenor of the third Article of this Treaty, there shall be established, within the space of a year at furthest from the exchange of the ratifications of the present Treaty, two Mixed Courts of Justice, formed of an equal number of individuals of the two nations, named for this purpose by the two high contracting parties respectively.

These Courts shall reside, one in a possession belonging to her Britannic Majesty, the other within the territories of the Argentine Confederation; and the two Governments, at the period of the exchange of the ratifications of the present Treaty, shall declare, each for its own territories, in what places the said Courts shall respectively reside; each of the two high contracting parties reserving to itself the right of changing, at its pleasure, the place of residence of the Court held within its own territories; provided, however, that one of the two Courts shall always be held upon the coast of Africa, and the other in the territory of the Argentine Confederation.

These Courts shall judge the causes submitted to them according to the provisions of the present Treaty, without appeal, and in conformity with the regulations and instructions which are annexed to the present Treaty, and which are considered as forming an integral part thereof.

ARTICLE VII. — If the commanding officer of any of those ships of the navies of Great Britain and of the Argentine Confederation respectively, which shall be duly provided with instructions according to the provisions of the third Article of this Treaty, shall deviate in any respect from the stipulations of the said Treaty, or from the instructions annexed to it, the Government which shall conceive itself to be wronged thereby, shall be entitled to demand reparation; and, in such case, the Government to which such commanding officer may belong, binds itself to cause inquiry

to be made into the subject matter of the complaint, and to inflict upon the said officer a punishment proportioned to any wilful transgression which he may have committed.

ARTICLE VIII. — It is hereby further mutually agreed, that every merchant vessel, British or Argentine, which shall be visited by virtue of the present Treaty, may lawfully be detained, and be sent or brought before the Mixed Courts of Justice established in pursuance of the provisions thereof, if in her equipment there shall be found any of the things hereinafter mentioned, namely :—

1st. Hatches with open gratings, instead of the close hatches which are usual in merchant vessels.

2ndly. Divisions or bulkheads in the hold or on deck, in a greater number than are necessary for vessels engaged in lawful trade.

3rdly. Spare plank fitted for being laid down as a second or slave deck.

4thly. Shackles, bolts, or handcuffs.

5thly. A larger quantity of water, in casks or in tanks, than is requisite for the consumption of the crew of the vessel as a merchant vessel.

6thly. An extraordinary number of water-casks, or of other receptacles for holding liquid ; unless the master shall produce a certificate from the Custom-house at the place from which he cleared outwards, stating that sufficient security had been given by the owners of such merchant vessels, that such extra quantity of casks, or of other receptacles, should only be used for the reception of palm oil, or for other purposes of lawful commerce.

7thly. A greater quantity of mess tubs or kids, than are requisite for the use of the crew of the vessel as a merchant vessel.

8thly. A boiler or other cooking apparatus of an unusual size, and larger, or fitted for being made larger, than requisite for the use of the vessel as a merchant vessel ; or more than one boiler or other cooking apparatus of the ordinary size.

9thly. An extraordinary quantity of rice ; of the flour of Brazil, manioc, or casada, commonly called farina of maize ; of Indian corn, or of any other article of food whatever, beyond what might probably be requisite for the use of the crew of the vessel ; such rice, flour, maize, Indian corn, or other article of food, not being entered on the manifest, as part of the cargo for trade.

10thly. A quantity of mats or matting, greater than is necessary for the use of the crew of the vessel as a merchant vessel.

Any one or more of these several things, if proved to have been found on board, shall be considered as *primâ facie* evidence of the actual employment of the vessel in the Slave Trade ; and the vessel shall thereupon be condemned and be declared lawful prize, unless clear and incontestible evidence on the part of the master or owners shall establish, to the satisfaction of the Court, that such vessel was, at the time of her detention or capture, employed in some legal pursuit ; and that such of the several things above enumerated, as were found on board her at the time of her detention, or which had been put on board her on the voyage on which she was proceeding when captured, were needed for legal purposes on that particular voyage.

ARTICLE IX. — If any of the things specified in the preceding Article shall be found in any merchant vessel, no compensation for losses, damages, or expenses, consequent upon the detention of such vessel, shall in any case be granted, either to her master or to her owner, or to any other person interested in her equipment or lading, even though the Mixed Court of Justice should not pronounce any sentence of condemnation in consequence of her detention.

ARTICLE X.—It is hereby agreed between the two high contracting parties, that in all cases in which a vessel shall be detained, under this Treaty, by their respective cruizers, as having been engaged in the Slave Trade, or as having been fitted out for the purposes thereof, and shall consequently be adjudged and condemned by the Mixed Courts of Justice to be established as aforesaid, the said vessel shall, immediately after condemnation, be broken up entirely, and shall be sold in separate parts, after having been so broken up.

ARTICLE XI.—The negroes who are found on board of a vessel which has been detained by a cruizer, and has been condemned by the Mixed Courts of Justice, in conformity with the stipulations of this Treaty, shall be placed at the disposal of the Government whose cruizer made the capture; on the distinct understanding that they shall be immediately set at liberty, and shall be thenceforward kept free. The two high contracting parties respectively guarantee the full and permanent liberty of such negroes; and, with a view of ensuring the due execution of the Treaty in this respect, they each engage to afford from time to time, and whenever required to do so by the other high contracting party, the fullest information as to the state and condition of such negroes.

The regulations letter C., annexed to this Treaty, as to the treatment of negroes liberated by sentence of the Mixed Courts of Justice, are declared to form an integral part of this Treaty.

The two high contracting parties reserve to themselves the right to alter or suspend by common consent, but not otherwise, the terms of such regulations.

ARTICLE XII. — The Annexes to this Treaty, which it is mutually agreed shall form an integral part thereof, are as follows:—

A. Instructions for the ships of the navies of both nations, employed to prevent the traffic in Slaves.

B. Regulations for the Mixed Courts of Justice, which are to hold their sittings on the coast of Africa, and in one of the possessions of the Argentine Republic.

C. Regulations for the treatment of liberated negroes.

ARTICLE XIII. — The present Treaty, consisting of thirteen Articles, shall be ratified, and the ratifications thereof shall be exchanged at Buenos Ayres as soon as possible within the space of eight months from this date.

In witness whereof the respective Plenipotentiaries have signed, in duplicate originals, English and Spanish, the present Treaty, and have thereunto affixed the seal of their arms.

Done at Buenos Ayres, this twenty-fourth day of May, in the year of our Lord one thousand eight hundred and thirty-nine.

(L.S.) J. H. MANDEVILLE.
(L.S.) FELIPE ARANA.

ANNEX A.—Instructions for the ships of the British and Argentine navies employed to prevent the traffic in Slaves.

ANNEX B.—Regulations for the Mixed Courts of Justice which are to reside on the coast of Africa, and in the possessions of the Argentine Confederation.

ANNEX C.—Regulations for the good treatment of liberated negroes.

Three additional explanatory Articles.

CONVENTION OF COMMERCE AND NAVIGATION BETWEEN HER MAJESTY AND THE KING OF PRUSSIA AND THE OTHER MEMBERS OF THE GERMAN UNION OF CUSTOMS.

Signed at London, March 2, 1841.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part, and His Majesty the King of Prussia, on the other part, in his own name, as well as in the name of the other Powers, Members of the Association of Customs and Commerce, existing in virtue of the Treaties of the 22nd and 30th of March, and the 11th of May, 1833, the 12th of May and 10th of December, 1835, and the 2nd of January, 1836,—that is to say, Their Majesties the King of Bavaria, the King of Saxony, and the King of Wurtemberg; their Royal Highnesses the Grand Duke of Baden, the Prince Electoral and co-Regent of Hesse, the Grand Duke of Hesse and "bei Rhein;" the States forming the Customs and Commercial Union, called the States of Thuringia, — viz., his Royal Highness the Grand Duke of Saxe-Weimar Eisenach, their Serene Highnesses the Dukes of Saxe-Meiningen, Saxe Altenburg, and Saxe-Cobourg-Gotha, the Princes of Schwarzburg-Rudolstadt, of Schwarzburg-Sondershausen, of Reuss-Greiz, of Reuss-Schleitz, and of Reuss-Lobenstein and Ebersdorf; his Serene Highness the Duke of Nassau, and the Free Town of Frankfort; being equally animated by the desire of extending, as far as possible, the commercial relations between their respective States, have agreed, for this purpose, to enter into a Convention of Commerce and Navigation, and have named their respective Plenipotentiaries, that is to say;

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, a Member of Parliament, and her Britannic Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable Henry Labouchere, a Member of her said Majesty's Most Honourable Privy Council, a Member of Parliament, President of the Committee of Privy Council for the Affairs of Trade and Foreign Plantations, and Master of the Mint;

And his Majesty the King of Prussia, in his own name, as well as in the name of the other Powers, Members of the Association of Customs and Commerce, the Sieur Henry William, Baron de Bülow, Knight of the Order of the Red Eagle of the First Class of Prussia, Grand Cross of the Orders of Leopold of Austria, of St. Anne of Russia, and of the Guelphs of Hanover; Knight of the Order of St. Stanislaus of the Second Class, and Knight of St. Wladimir of the Fourth Class of Russia, Commander of the Order of the White Falcon of Saxe-Weimar, his Chamberlain, Actual Privy Councillor, Envoy Extraordinary and Minister Plenipotentiary to her Britannic Majesty;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following Articles:—

Article I.—In consideration of the circumstance that British vessels are admitted, together with their cargoes, to entry in the ports of Prussia, and of the other States of the afore-named Union of Customs, when coming from the ports of all countries, and in consideration of the concessions stipulated in this present Convention for British Trade with all the States of this Union of Customs; in consideration also of the facility which the application of steam power to inland navigation affords for the conveyance of produce and merchandize of all kinds up and down rivers; and in consideration of the new opening which may by these means be given to the trade and navigation between the United Kingdom and the British Possessions abroad, on the one hand, and the States now composing the Union of Customs, on the other; some of which States use as the natural outlet of their commerce ports not within their own dominions; it is agreed that, from and after the date of the exchange of the Ratifications of this present Convention, Prussian vessels, and the vessels of the other States forming the said Union of Customs, together with their cargoes, consisting of all such goods as can be legally imported into the United Kingdom and the British Possessions abroad, by the said vessels from the ports of the countries to which they respectively belong, shall, when coming from the mouths of the Meuse, of the Ems, of the Weser, and of the Elbe, or from the mouths of any navigable river lying between the Elbe and the Meuse, and forming the means of communication between the sea and the territory of any of the German States which are parties to this Treaty, be admitted into the ports of the United Kingdom, and of the British Possessions abroad, in as full and ample a manner, as if the ports from which such vessels may have come, as aforesaid, were within the dominions of Prussia, or of any other of the States aforesaid; and such vessels shall be permitted to import the goods above-mentioned upon the same terms on which the said goods might be imported if coming from the national ports of such vessels; and also that, in like manner, such vessels proceeding from Great Britain and her Colonial Possessions abroad to the ports or places thus referred to, shall be treated as if returning to a Prussian Baltic port:—it being understood that these privileges are to extend to the vessels of

Prussia and of the States aforesaid, and to their cargoes, only in respect to each of the said ports in which British vessels and their cargoes shall, upon their arrival thereat, and departure therefrom, continue to be placed on the same footing as the vessels of Prussia and of the other States of the Union.

Article II.—His Majesty the King of Prussia, in his own name, and in the name of the States aforesaid, agrees to place, always and in every way, the trade and navigation of the subjects of her Britannic Majesty, in respect to the importation of sugar and rice, upon the same footing as that of the most favoured nation.

Article III.—In the event of other German States joining the Germanic Union of Customs, it is hereby agreed that such other States shall be included in all the stipulations of the present Convention.

Article IV.—The present Convention shall be in force until the 1st of January, 1842, and further for the term of six years, provided neither of the high contracting parties shall have given to the other six months' previous notice that the same shall cease to be in force on the said 1st of January, 1842; and if neither party shall have given to the other six months previous notice that the present Convention shall cease on the 1st day of January, 1848, then the present Convention shall further remain in force until the 1st day of January, 1854, and further, until the end of twelve months after either of the high contracting parties shall have given notice to the other of its intention to terminate the same, each of the high contracting parties reserving to itself the right of giving such notice to the other; and it is hereby agreed between them, that at the expiration of twelve months after such notice shall have been received by either party from the other, this Convention, and all the provisions thereof, shall altogether cease and determine.

Article V.—The present Convention shall be ratified, and the ratifications thereof shall be exchanged at London at the expiration of two months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the second day of March, in the year of our Lord one thousand eight hundred and forty-one.

(L.S.) Palmerston.
(L.S.) H. Labouchere.
(L.S.) Bulow.

Treaty of Commerce between her Majesty and the Shah of Persia,

Signed, in the English and Persian Languages, at Tehran, October 28, 1841.

Preamble. — Whereas by the benign favour of the One Almighty God, whose bounties are infinite, from the day on which the Treaty

of Friendship and Attachment was concluded between the glorious States of Great Britain and Persia, the renowned and just Sovereigns of the two everlasting States have, day by day, and at all times, attended to and observed the whole of its Articles and Stipulations, and have caused the subjects of both Governments to enjoy all its benefits and advantages except the Treaty of Commerce, which in the Preamble of the Treaty of the year one thousand eight hundred and fourteen, the two Governments engaged to conclude, and which, up to this time, for certain reasons has been postponed and left unfinished:—Therefore, in this fortunate year, that all the stipulations of the auspicious Treaty may be fulfilled, her Majesty the Queen of Great Britain and Ireland, &c., &c., &c., has appointed Sir John Mc Neill, Knight Grand Cross of the Most Honourable Order of the Bath, her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the Court of Persia, to be her sole Plenipotentiary; and his Majesty the Shah of Persia, &c., &c., &c., has appointed his Excellency Hajee Meerza Abul Hassan Khan, his Majesty's Secretary of State for Foreign Affairs, to be his sole Plenipotentiary: and the said Plenipotentiaries having concluded a Commercial Treaty in these two Articles, have annexed and united it to the original Treaty, that, by the aid of God, it may henceforth be observed between the two Governments, and be a source of advantage to the subjects of both.

Article I.—The merchants of the two mighty States are reciprocally permitted and allowed to carry into each other's territories their goods and manufactures of every description, and to sell or exchange them in any part of their respective countries; and on the goods which they import or export, custom duties shall be levied, that is to say, on entering the country the same amount of custom duties shall be levied, once for all, that is levied on merchandise imported by the merchants of the most favoured European nations; and at the time of going out of the country, the same amount of custom duties which is levied on the merchandize of merchants of the most favoured European nations shall be levied from the merchants, subjects of the high contracting parties; and except this, no claim shall be made upon the merchants of the two States in each other's dominions on any pretext or under any denomination; and the merchants or persons connected with or dependent upon the high contracting parties in each other's dominions, mutually, shall receive the same aid and support, and the same respect, which are received by the subjects of the most favoured nations.

Article II.—As it is necessary, for the purpose of attending to the affairs of the merchants of the two parties respectively, that from both Governments commercial agents should be appointed to reside in stated places; it is therefore arranged that two commercial agents on the part of the British Government shall reside, one in the capital, and one in Tabreez, and in those places only, and on this condition, that he who shall reside at Tabreez, and he alone, shall be honoured with the privileges of Consul-General; and as for a series of years a resident of the British Government has resided at Bushire, the Persian Government grants permission that the said

resident shall reside there as heretofore. And, in like manner, two commercial agents shall reside on the part of the Persian Government, one in the capital, London, and one in the port of Bombay, and shall enjoy the same rank and privileges which the commercial agents of the British Government shall enjoy in Persia.

This Commercial Treaty, we, the Plenipotentiaries of the high contracting parties, have agreed to; and in witness thereof, have set thereunto our hands and seals, at the capital city of Tehran, this twenty-eighth day of October, in the year of our Lord one thousand eight hundred and forty-one, corresponding to the twelfth day of the month Ramazan, in the year of the Hejjera 1257.

(L.S.) John Mc Neill.
(Sealed) M. A. Hassan Khan.

IV.—FOREIGN.

Proclamation of the King of Hanover.

Ernest Augustus, by the Grace of God, King of Hanover:—

On the 30th of last month we saw ourselves under the necessity, though unwillingly, of dissolving the Assembly of the States of the kingdom, because the Second Chamber proved by its mode of acting that it was absolutely incapable of fulfilling the duties imposed on it. Our proclamation of the 15th of February, 1839, pointed out to our faithful subjects the reasons why the Constitution of 1819 was not modified in 1833 in the manner determined upon on the 7th of December, 1819. We explained ourselves formally on this subject before our accession. Thus, at the period of our accession, the Constitution of 1819 was alone placed under the guarantee of article 56 of the final act of the Congress of Vienna. According to the terms of article 13 of the Federal Act, there should be a state constitution in each state of the confederation. The introduction of a written constitution is not a proscription of the federal legislation. Thus we have several times expressed our opinion that written constitutions were not, under every circumstance, necessary to the States, and even that objections might be raised against their introduction. Nevertheless, taking into consideration the wishes of our subjects, we submitted to the Assembly of the States on the 18th of February, 1838, a project of constitution. On the 27th of June, 1838, the Chambers were adjourned, and we withdrew the project in consequence of the irregularity of the discussion. On the 15th of June, 1839, the Assembly of the States invited us to take again into consideration the question of the constitution; the States added that it was requisite to proceed according to constitutional modes, conformably to the wishes of the country. A committee was, in consequence, appointed, to prepare a project of constitution.

The Assembly of the States had evidently the right to deliberate on this project. The resolution of the Germanic Diet of the 5th of September, 1839, could leave no

doubt on this point. On the 19th of March, 1840, the project was submitted to the States. If some Deputies did not take part in that deliberation, this resistance could not be overcome by us. The project was voted on the 1st of August, 1840, and promulgated on the 6th of the same month. This constitution, having been deliberated on between the King and the States, cannot be attacked by any legal means. This constitution respects the rights of our royal House to the domains, and makes no attack on the rights of the Crown based on the ancient constitution of the country. It serves to strengthen the rights of the general and provincial states of the kingdom; it extends the rights of the first to the protection of the constitution itself; it protects the rights of corporations and individuals, and establishes the equal division of the taxation. It confirms the independent action of the judicial power, and equally guarantees the action of the administration. It attributes to a special authority the right of separating, in certain cases, the judicial and administrative powers; and we have confided this authority to the most estimable men of the kingdom. The duration and the inviolability of the constitution is assured for the future by the basis of the ancient right of the Crown on which it reposes; by the basis of the laws of the German Confederation, with which it is in accordance on all points; by the Federal Resolution of the 5th of September, 1839; by our royal word; by the assent of the Prince Royal; by the approbation of the States; by the rights accorded to the General Assembly of the States, and in its absence to the college of the treasury, to invoke the protection of the Germanic Confederation. As long as Providence shall preserve our life, we shall not for a moment doubt the legality of that constitution. Our well-beloved son, the Prince Royal, has formally expressed for the future this wish in the First Chamber. In consequence, we have, on the 14th of April in this present year, convoked the Assembly of the States. Having received the thanks of the authorities and the inhabitants for this new constitution, we have not considered it necessary to exercise a special surveillance over the elections, which should remain free. It is for this reason we confined ourself to ordering a surveillance of police. These measures have affected some individuals who are now the objects of a criminal prosecution. These individuals were formally opposed to the regulations of the constitutional question, and compromised public order. We could even have caused their arrest according to a law of the 27th of June, 1838, and we shall carry that law into execution whenever plots shall be entered into against the safety of the state.

We have just heard that some enemies of our Government have spread a report that the taxes are about to be raised. Notwithstanding this and other equally mischievous rumours, only taking counsel of our justice and of our solicitude for the welfare of our subjects, we have reckoned on the unalterable devotion and gratitude of our subjects. On the 2nd of June last the Chambers assembled; thirty-six Deputies manifested their attachment to the laws of the country; twelve other Deputies have placed themselves at the head

of a party who are hostile to our Government. Their object was to revive the constitutional question, and to oppose every measure favourable to our subjects. A number of others were drawn over to their way of thinking, and thus they formed a majority in the Chamber hostile to our Government. It has been weak; it has been, however, the means of paralysing our paternal views, inasmuch as they required the concurrence of the States. The Second Chamber, thus composed, have led away many Deputies who were animated with the best intentions, making them believe that we wished to attack the established laws, whilst, on the contrary, we respect them. It is thus with the liberal party, which respects neither private nor public rights. The tyranny was become so intolerable, that the members of the majority, fearing the responsibility which would weigh on them, quitted the assembly, not daring to support a contrary opinion. Our Governmental acts, our desire to lessen the taxes which press on agriculture, should have deprived the remarks of the enemies of the Government of all their force. The first acts of the Second Chamber showed hostile intentions. The choice of the candidates for the Presidentship fell, first, on a Member who, under the reign of William IV., used all his efforts to constrain the royal power to make concessions and to enter into compromises with the States. The second candidate declared on the 13th of March, 1833, in the Assembly of the States, that he never wished for a fundamental law based on the existing laws.. The third was declared by us inadmissible to the functions of Councillor of the Treasury. These three candidates obtained at the first ballot the absolute majority of voices, which proved that there was in the Chamber a party decided on carrying on a systematic opposition against the Government. Circumstances independent of our will having prevented us from convoking the Assembly of the States at an earlier period, it was our intention to shorten the session, that the members might not be kept from their homes beyond the usual period. The budget should have been the first object of their attention. The Chamber, at the same time, had communicated to it different financial and other bills. The First Chamber hastened to form a committee on the Budget. The Second Chamber, instead of forming a committee of able and intelligent men, made choice of Members who had no knowledge of financial matters, and by their turning their attention instead to constitutional questions prevented the proceedings of the other Chamber. It was our duty consequently to assure the carrying on of the public service by constitutional means, and as a commencement to dissolve the States agreeably to an article of the constitution, which we should otherwise have done from the hostile attitude assumed by the Second Chamber. The President of that Chamber, being honoured with an interview, hesitated not to draw conclusions from my words contrary to their meaning, but in unison with his own ideas. In refusing all concurrence with Government, it was wished to suggest to the people a false idea, that the constitution of 1840 was not proper to assure the welfare of the people and the country, and to excite discontent against the

existing authorities. The address was rejected by the First Chamber, and blamed by a large number of the Second. The discovery of these criminal projects will only render odious their authors, who have sworn fidelity to us and our son. We repel with horror such an opposition.

We have also to complain of the conduct of the majority in calumniating our most intimate servants, who profess an unbounded devotion to our person. In all important affairs of state our faithful counsellors are charged with the execution of our wishes, and if they are attacked, the courts of justice will know how to punish them. Conformably to the provisions of the constitution of August the 6th, 1840, we shall convoke within the legal period an Assembly of the States, to which we shall again submit the projects of law which have not been examined, and we are willing to believe that the errors committed by the majority of the Second Chamber of the dissolved Assembly will exercise a salutary influence on the composition of the new one.

We do not require the concurrence of the States to carry on the public service and to levy the taxes, but we do require their concurrence to realize objects which are of benefit to my subjects, always the object of my paternal solicitude.

Party spirit, which is blind, could alone dissemble that the welfare and prosperity of the country must inevitably suffer by a persistence in a state of things as adopted by the dissolved Chamber.

ERNEST AUGUSTUS.

July 14th, 1841.

SPEECH OF THE KING OF THE FRENCH ON OPENING THE CHAMBERS.

"*Gentlemen, Peers, and Deputies.*

"Since the close of your last session the questions which excited in the East our just solicitude have reached their term. I have concluded with the Emperor of Austria, the Queen of Great Britain, the King of Prussia, the Emperor of Russia, and the Sultan, a convention which consecrates the common intention of the Powers to maintain the peace of Europe, and consolidate the repose of the Ottoman empire.

"The great burdens imposed upon the country have already experienced considerable reductions. It would have been my lively wish that a balance should have been immediately re-established between the expenditure and revenues of the State. This is the result which we must now prepare, and which you will achieve without weakening our military organization, and without deferring the execution of those works which are to increase the national prosperity.

"A project of law will be presented to you for constructing the principal lines of a great system of railroads calculated to ensure those rapid and easy communications with all parts of our territory, which will prove a source of force and riches to the nation.

"I am endeavouring, at the

same time, by negotiations prudently conducted, to extend our commercial relations, and to open new markets for the productions of our soil, and of our arts.

"Such labours honour peace, and render it stable and fruitful at the same time. I have reason to reckon that it will not be disturbed, receiving from all the Powers the most amicable assurances.

"I have taken measures to prevent any external complication from disturbing the security of our African possessions. Our brave soldiers are pursuing on that land, henceforth and for ever French, the course of their noble labours, in which I am happy that my sons have had the honour of concurring. Our perseverance shall complete the work undertaken by our courageous army, and France will introduce into Algeria her civilization as the consequence of her glory.

"The financial laws and others, having for their object to introduce useful improvements in the public administration, will be presented to you immediately.

"Whatever may be the burdens of our situation, France would support them without difficulty if faction did not unceasingly obstruct the course of her powerful activity. I will not dwell upon the intrigues and crimes of the factious, but let us not forget, gentlemen, that it is that which debars our country from fully enjoying all the blessings which Providence has conferred upon it, and which retards the development of that legal and pacific liberty which France has at last achieved, and of which I make it my glory to ensure her the possession.

"We shall follow up this task, gentlemen. My Government will do its duty. It will maintain everywhere and constantly the authority of the laws, and cause them to be respected, as it will respect them itself. Your loyal support will aid me. In enlightening the country with persevering sincerity with regard to its true interest, we shall strengthen by its support, and by our union keep entire the sacred deposit of order and public liberties which the charter has confided to us. Future generations will reap the fruit of our endeavours, and the gratitude of our country will be our recompense."

DESPATCHES.

CHINA.

Capture of the Bogue Forts.

Wellesley, close off Anunghoy, Jan. 7th, 1841.

Sir,—My last hasty despatch will have informed their Lordships, that it was my intention to commence the attack on the forts of the Bocca Tigris, by the destruction of Chuenpee and Tycocktow this day.

At eight o'clock this morning, the Royal Marines of the squadron, the detachments of the 26th and 49th regiments, and the 37th Madras Native Infantry, and Bengal Volunteers, were landed, accompanied by the detachment of Royal Artillery, with one 24-pound howitzer, and two 6-pounder field-guns, together with a division of seamen belonging to the *Wellesley*, *Blenheim*, and *Melville*, in all about 1,400 men; the land forces under the command of Major Pratt, of the 26th Cameronians, a copy of whose report (which I enclose) will explain the detail of military operations, which were admirably executed.

The *Queen* and *Nemesis* steamers were placed in position for throwing shells into the upper fort by Commander Belcher, of the *Sulphur*, and soon made an impression; a division of ships, consisting of the *Calliope*, *Hyacinth*, and *Larne*, under Captain Herbert, attacked the lower fort on the sea face, and in less than an hour silenced the guns, although a number of troops remained within the walls; by ten o'clock the troops had advanced, and carried the intrenchments with their field batteries; Major Pratt himself, and two or three marines, were in possession of the upper fort, and the British colours hoisted; the lower fort was speedily surrounded and stormed, by the entrance as well as the wall, by a party of Royal Marines, and the Union Jack displayed on the ramparts. The management of Tycocktow I intrusted to Captain Scott, of her Majesty's ship *Samarang*, accompanied by the *Druid*, *Modeste*, and *Columbine*, and in one hour it was silenced; but the Chinese remained in it until it was stormed by the boats, in which operation Lieutenant Bower, sen., of the *Samarang*, was severely wounded; the guns in all the forts have been destroyed, the magazines blown up, and the barracks and houses burnt; eleven large war-junks were anchored in the shoal water to the eastward of the position; the *Nemesis*, under Commander Belcher, accompanied by Lieutenant Kellett, of the *Starling*, attacked them in admirable style, assisted by the boats of the *Calliope*, under Lieutenant Watson, sen., of that ship; they were all set on fire and blown up, one with all her crew on board, a rocket having gone into her magazine. This ended the operations of the day.

It is now my pleasing duty to express my high admiration of the gallantry and zeal which animated every officer and man in the force; my best thanks are due to Captains Sir Fleming Senhouse, and the Hon. R. S. Dundas, of the *Blenheim* and *Melville*, and from

Captain Maitland I received his usual valuable assistance; Captains Herbert and Scott carried their divisions into action with their accustomed gallantry, and they were ably seconded by Captains Smith and Blake, and Commanders Warren, Eyres, and Clarke, under their immediate orders.

The Commanders Pritchard, Puget, and Fletcher, of the *Blenheim*, *Melville*, and *Wellesley*, the commanders of the steam-vessels, and every officer and man employed, deserve the highest praise for their zealous exertions on every point.

Major Pratt, of the 26th, conducted the operations on shore in the most able and gallant manner: he speaks in the highest terms of the conduct of every officer and man employed.

I am most happy in being enabled to inform their Lordships, that this service has been performed with trifling loss on the part of her Majesty's forces, although it is but justice to the Chinese to say, that they defended themselves, especially in the batteries, with the greatest credit and devotion; they have suffered severely, their loss, including that on board the war-junks, cannot be estimated at less than from 500 to 600, out of a force calculated at 2,000 men; the slaughter in the lower fort, when carried by storm, was considerable.

I have, &c.

J. J. Gordon Bremer.
Commodore of the First Class, Commander-in-Chief.

R. More O'Ferrall, Esq., M.P., Admiralty.

Wellesley, off Anunghoy, Jan. 9th, 1841.

Sir,—In continuation of the detail of operations, I have the honour to acquaint you, for the information of the Lords Commissioners of the Admiralty, that yesterday morning I moved forward towards the forts of Wangtong and Anunghoy. A Chinese, a civilian, had been saved from drowning by the *Louisa* cutter, and I liberated him, sending by his hands a letter to the Admiral, in which I explained the usages of war amongst European nations with regard to flags of truce, sparing the lives of prisoners, and of an enemy yielding, and that the striking of flags signified submission, and always led to a cessation of hostility by surrender; and also that I had yesterday liberated upwards of 100 prisoners who had laid down their arms.

The plan of attack was laid, and would have commenced seriously in a few moments, when I was surprised to see the flags and banners of the forts hauled down, and a boat with a flag of truce coming out; it contained a letter from the Admiral, requesting a suspension of hostilities until a communication could be made to the Imperial Commissioner at Canton. On consulting her Majesty's Plenipotentiary, we were of opinion that it would be advisable to comply with this request, in the sincere hope that negotiations would prevent a further conflict. Three days have, therefore, been given for this purpose.

The Plenipotentiary renewed the offer of terms which he has forwarded to her Majesty's Government, and it will be a source of infinite gratification to me to find that they are accepted.

I have, &c.,

J. J. Gordon Bremer.
Commodore of the First Class, Commander-in-Chief.

R. More O'Ferrall, Esq., M.P., Admiralty.

Her Majesty's ship Wellesley, Chuenpee, Jan. 8th, 1841.

Sir,—I have the honour to report to you, that the troops under my command, consisting of a detachment of Royal Artillery, having one 24-pound howitzer and two 6-pounder field guns, aided by a party of seamen from her Majesty's ships the *Wellesley*, the *Blenheim*, and the *Melville*, detachments of the 26th and 49th regiments, a battalion of Royal Marines, the 37th Madras Native Infantry, and a detachment of Bengal Volunteers, in all 1,400 men, landed yesterday at nine o'clock, two miles below Chuenpee Point, for the purpose of capturing the several forts and batteries on Chuenpee.

The troops landed without opposition, and having formed them, I sent forward an advance of two companies of Royal Marines, under Captain Ellis; the guns were then moved on, supported by the detachments of the 26th and 49th regiments, followed in column by the Marine Battalion, the 37th Native Infantry, and the Bengal Volunteers.

After advancing a mile and a half, on reaching the ridge of hill, we came in sight of the upper fort, and of a very strong intrenchment, having a deep ditch outside, and a breastwork round it, which was prolonged upwards, connecting it with the upper fort; it was also flanked by field batteries, having deep trenches in rear of the guns for the purpose of shelter. The whole was strongly lined with Chinese soldiers, who immediately on seeing us cheered, waved their flags in defiance, and opened a fire from their batteries; our guns were promptly placed on the crest of the ridge, and commenced firing; this was duly returned by the Chinese for about twenty minutes, and indeed in this, as well as our other encounters with them, it is but justice to say they behaved with courage. During this time the advance crossed the shoulder of the hill to the right, driving before them the Chinese who had lined it in considerable numbers; then, descending into the valley, took possession of a field battery placed there. I had previously ordered two companies of the 37th Native Infantry, under Captains Bedingfield and Wardroper, to scour round a hill to the right of the advance, where they encountered the Chinese in some force and drove them away with much loss. Captain Duff, commanding the corps, speaks highly of the conduct of these companies, which he had supported by another under Lieutenant Hadfield.

Seeing that the fire from our guns was causing the Chinese to fly from the intrenchment and batteries, I moved the column down the slope, causing the two leading companies of Marines under Captain Whitcomb to clear the wooded hill in front. I took a subdivision of them, got into the intrenchment, and proceeded up inside the breastwork to the upper fort, in which there was still a number of men; these were speedily dislodged by the two marines who first reached it; the fort was entered, and the British ensign hoisted by a Royal Marine.

The lower fort, which had sixteen guns facing the sea, and was surrounded by a high wall, and a small battery between, was, from this completely exposed, but the fire of these, as well as of the upper fort, had been silenced by

the ships attacking on the sea face; they were still in considerable numbers in the lower part of the fort, and had locked the gate; a fire was therefore kept up from the hill, and the advance coming round the lower side to the gate, forced it by musketry. On entering they met with considerable resistance, which was speedily subdued; some men then entering an embrasure on the flank, the fort was taken and our flag hoisted.

The whole of the forts and batteries being now in our possession, we proceeded to render the guns unserviceable and dismantle the fort, setting their encampments on fire, and, on re-embarking, the magazine in the lower fort was blown up.

I am happy to say that the loss on our side has been small, and would have been less but for the explosion of an extensive magazine in the fort after the capture. The Chinese, however, suffered severely; between 300 and 400 were killed and wounded, including amongst the killed the Heptae, an officer with rank equivalent to our brigadier-general. About 100 prisoners were taken, who were released at the close of the day.

I have great pleasure in stating to your Excellency the admirable manner in which the whole force behaved, and I beg to recommend to your notice Major Johnson, of the 26th regiment, commanding a detachment of the 26th and 49th regiments. I must particularly mention Captain Ellis, commanding the Marine Battalion, an old and previously distinguished officer, who conducted the advance during the whole day with the greatest gallantry and judgment, and he speaks in the highest terms of the men forming the advance; Captain Knowles, R. A., who placed his guns admirably, and dismantled the forts after their capture; Captain Duff, commanding the 37th Native Infantry; and Captain Bolton, commanding the detachment of Bengal Volunteers. From Lieutenant Stransham, Adjutant of the Royal Marines, who acted as Brigade-Major, I received most valuable assistance during the day, and gladly availed myself of the services of your military secretary, Lieutenant Stewart Mackenzie, 90th regiment, who volunteered to act on my staff, and took charge of a party of skirmishers of the advance the better part of the day.

Lieutenant Wilson, her Majesty's ship Blenheim, commanded the seamen, and the guns were dragged forward in good style, and the disembarkation and re-embarkation of the troops were ably managed by Lieutenant Symons, of her Majesty's ship *Wellesley*.

I enclose the list of guns captured and destroyed, and also the return of casualties.

I have, &c.,

J. L. Pratt.

Major, 26th Cameronians, Commanding the Force.

To his Excellency Sir J. J. G. Bremer, C.B., K.C.H., Commodore of the First Class, Commander-in-Chief.

Casualties, — Land Force. — Wounded—3 officers, 2 serjeants, 11 privates, 1 gunner and driver 2 havildars, 1 naique, 10 privates, —30. — *Sea Force*—1 officer, seamen,—8. ——Grand total 38.

Return of Ordnance captured.
In the Upper Fort, 9 iron guns.—In the Lower Fort, 19 iron guns.

—In the intrenchments, 15 iron guns; 23 iron guns, not mounted. —On Tycocktow, 25 guns.—In the junks about 82 guns.—Total, 173.

Her Majesty's Ship Samarang, Canton River, Jan. 8, 1841.

Sir,—In obedience to your instruction of yesterday, I proceeded with the ships placed under my orders off Tycocktow. The fort commenced its fire upon us at twenty minutes past ten o'clock, which I did not reply to until I took up my anchorage, ten minutes after, abreast of it, about 200 yards distance, which was as near as the depth of water would permit of our approach. The *Modeste*, *Druid*, and *Columbine*, anchored in succession, and in a few minutes, so destructive and well-directed was the fire of the ships, that that of the enemy was silenced, with the exception of an occasional gun or two. At twenty minutes after eleven, A.M., observing that we had effected a practicable breach in the southern end of the fort, I directed the boats manned and armed to proceed to storm it. Lieutenant Bower (first of this ship) immediately landed, supported by the boats of the *Modeste;* those of the *Druid* and *Columbine*, under the command of Lieutenant Goldsmith (first of the former ship), proceeded to the north end.

An attempt at resistance was made by the enemy at the breach against Lieutenant Bower and his party, but was instantly overcome by the gallant and determined rush onwards of our men, which so appalled the garrison, that they instantly made a hasty retreat over the hill-wall, leaving us masters of the fort.

The guns, amounting to twenty-five longs, of different calibre, were then spiked, the trunnions knocked off, a shot wrapped round with wet canvass driven hard home in each, and they were then thrown into the sea, their carriages burnt, as well as the whole of the buildings and magazines blown up, previous to which latter operation all the wounded of the enemy were carried away clear of the fort; their loss, judging from the number of killed, lying in every direction, must have been most severe.

My best thanks are due to Captain Smith and Commanders Eyres and Clarke, for the efficient and able support they have afforded me. It is impossible to say too much in favour of all those under my command—their conduct merits my warmest approbation. Of Lieutenant Bower (first of this ship) I cannot speak too highly. In the attack of the breach he received a severe sabre wound across the knee, which I fear will deprive me for some time of his services. I beg leave to recommend him most strongly to your favourable consideration, as well as Mr. Luard, mate, who behaved most gallantly in the breach. The zealous conduct of this promising young officer has repeatedly drawn forth my commendations.

Our damages are very trifling, being merely some of the standing rigging cut away and a shot through our hull, the fire of the enemy passing all over us.

Enclosed I beg leave to return a list of the wounded on board the Samarang.

I have, &c.,

JAMES SCOTT,

Captain.

To Commodore Sir J. J. G. Bremer, C.B., K.C.H., Commander-in-Chief, &c.

Capture of the Forts on the Canton River.

"To the Right Hon. George, Earl of Auckland, G.C.B., &c.' Governor-General of India.

"Wellesley, off North Wangtong, March 10.

"My Lord,—It is with feelings of gratification I have the honour to announce to you that the forts of the Bocca Tigris, together with every other of the Chinese defences with which we are acquainted, have fallen to her Majesty's arms; the British flag flying on the fortress of Wangtong, in which is a garrison, and all the other batteries have been blown up and utterly destroyed; and as I am aware of the intense interest which is felt by your Lordship, I avail myself of the earliest opportunity of forwarding to you a detail of the events which have led to this result.

"On the 20th of January, the preliminaries of a treaty of peace were agreed upon by her Majesty's plenipotentiary, under the seal of the Chinese commissioner, one of the conditions of which the cession of the island of Hong Kong to her Majesty, and the restoration of Chuenpee and Tycock Tow to the Chinese, together with the evacuation of Chusan at the earliest possible period. His Excellency, in consequence, requested me to move the force from the immediate neighbourhood of the Bocca Tigris, and having made the necessary arrangement with the Chinese admiral commanding in chief, the forts were delivered to his officers, under the usual salutes, on the 21st, and the fleet proceeded to the anchorage off the west end of Lantao Island.

"Her Majesty's plenipotentiary and the Imperial commissioner having arranged to have a formal meeting at the second bar, in the river, on the 26th, I despatched the *Calliope* and *Larne*, and *Madagascar* and *Nemesis* steamers, to the Bocca Tigris, under the immediate command of Captain Herbert, of the *Calliope*; a guard of honour, composed of 100 picked men of the Royal Marines, under the command of Captain Ellis, R.N., of the *Wellesley*, and the band of that ship, were embarked. Captains the Hon. R. S. Dundas and Maitland, of *Melville* and *Wellesley*, together with as many of the officers of the fleet as could be spared, accompanied his Excellency; the party was received with every possible mark of distinction and respect, the troops were drawn up on the ramparts of the forts, and salutes fired from all; a sumptuous entertainment had been prepared, to which the officers were invited, after having been presented to the high commissioner, and the negociations proceeded in a satisfactory manner, the particulars of which have been stated by the plenipotentiary to her Majesty's Government.

"On the same day I proceeded to Hong Kong, and took formal possession of the island in her Majesty's name, and hoisted the colours on it, with the usual salutes and

ceremonies. By the terms of the treaty, the port of Canton was to be opened to the trade of all nations on the 2nd of February, and as a proof of the sincere desire on the part of the British functionary to evince good faith, I had, at his request, sent the *Columbine* to Chusan, and an overland despatch by the hands of a Chinese special messenger, directing Brigadier Burrell and Captain Bouchier, of her Majesty's ship *Blonde*, to use every effort to embark the stores and troops, and to restore the island to the Chinese authorities.

"The proclamation for opening the port on the 2nd did not appear, and on the 11th the two Ministers again met at the Bocca Tigris, and after a discussion of several hours, on this day and on the next, her Majesty's plenipotentiary acceded to a further delay (not to exceed ten days), in order that the definitive treaty might be fairly prepared. I must confess that, from this moment, my faith in the sincerity of the Chinese commissioner was completely destroyed; my doubts were also strengthened by the reports of the officers I sent up to the place of meeting, who stated that military works on a great scale were in progress: troops collected on the heights, and camps, protected by entrenchments, arising on both sides of the river, and that the island of North Wangtong had become a mass of cannon. These indications being decidedly warlike, I determined to move the light division of her Majesty's ships at once to Macao roads, and proceeded thither myself on the 13th, to confer with his Excellency the plenipotentiary, and await events. I found that the treaty, as agreed upon by the Commissioner and her Majesty's Minister had been sent up to the Bocca Tigris, for transmission to Canton by the *Nemesis*, with orders to await an answer until the night of the 18th, the period the confidential person employed by the Chinese commissioner had named for the purpose.

"The accounts daily received by merchants and others at Macao from Canton were of the most hostile character, and an edict purporting to be from the Emperor, calling on all his officers to exterminate us, was published, together with a proclamation, the authenticity of which I have, however, been unable to establish, offering 50,000 dollars for my head, and a like sum for that of the Plenipotentiary. On the morning of the 19th, the *Nemesis* arrived from the Bocca Tigris without any reply, and all doubt was at an end, a shot having been fired at her boat from North Wangtong. I instantly detached the light division, under Captain Herbert, of her Majesty's ship *Calliope* (who was accompanied by her Majesty's Plenipotentiary), with directions not to run any unnecessary hazard until the body of the force came up, but to prevent as much as possible any further defensive preparations on the part of the enemy. I proceeded at the same time to Hong Kong, and weighed with the ships of the line, the *Queen* and *Madagascar* steamers, leaving the *Druid*, *Jupiter*, and transports to follow.

"Captain Herbert, with the ships under his orders, took up a position on the Western Channel off South Wangtong on the 20th, and on the 22nd he proceeded in the *Nemesis*, with some boats of the squadron, to the channel at the back of Anunghoy, and destroyed a masked battery of twenty guns,

which opened on them whilst employed clearing the passage, which the Chinese had been endeavouring to obstruct by driving down poles and mooring rafts across; this service was performed without any loss on our side; the guns in the battery were disabled by knocking off the trunnions, together with sixty found dismounted; the magazines, &c., were burnt, the enemy left about thirty of the number dead, and their colours were taken by Lieutenant Bower, senior of her Majesty's ship *Samarang*.

"From the prevalence of light winds, the line-of-battle ships and *Druid* were not collected until the 24th. On the 25th I arranged a plan of attack on the formidable batteries in our front, and of which it may be necessary for me to give some description. Partly surrounding the old fort of Anunghoy, and in advance of it to high-water mark, was a new and well-built battery of granite, forming a segment of about two-thirds of a circle; on it were mounted forty-two guns, some of them of immense weight and large calibre; several strong entrenchments extended to the southward of this battery, and the ridges of the hill were crowned with guns, up to a camp calculated for about 1,200 men; at the north side was a straight work of modern erection, mounting sixty heavy guns; about 150 yards of rocky beach intervenes between the end of this battery and the northern circular battery, on which forty guns were mounted; all the works were protected in rear by a high wall extending up to the hill, on which were steps or platforms for firing musketry, and in the interior were magazines, barracks, &c.

"On the east end of the island of North Wangtong is a battery with a double tier of guns defending the passage on that side, and also partly flanking a number of rafts constructed of large masses of timber moored across the river (about twelve feet apart), with two anchors each, connected by and supporting four parts of a chain cable, the ends of which were secured under masonry works, one on the South Wangtong, the other on Anunghoy; on the western end of North Wangtong is a strong battery of forty guns, flanked by a field-work of seventeen; indeed, the whole island is one continued battery; on the extreme western side of the channel was a battery of twenty-two heavy guns, and a field-work of seventeen, protecting an entrenched camp, containing 1,500 or 2,000 men. South Wangtong was not occupied by the enemy; it was an excellent position, and I therefore caused a work to be thrown upon it during the night of the 25th, and mounted two 8-inch iron, and one 24-pounder brass howitzer; at daylight on the 26th, Captain Knowles, of the Royal Artillery, opened this battery with admirable effect, throwing shells and rockets into North Wangtong, and occasionally into Anunghoy, which fire was returned by the Chinese with great spirit, from a battery immediately opposite, having also kept up a fire during the greater part of the preceding night (during the erection of the work), which slackened towards A.M., and finally ceased.

"At eleven o'clock, the breeze springing up, the signal was made, and the fleet stood in.

"The attack on Anunghoy I intrusted to Captain Sir H. Le Fleming Senhouse, of her Majesty's ship *Blenheim*, having with

him the *Melville, Queen* steamer, and four rocket boats. The *Wellesley, Calliope, Samarang, Druid, Herald, Alligator,* and *Modesté,* were opposed to the batteries on the south, south-west, and north-west of Wangtong, and the forts on the western side of the channel.

"In less than an hour the batteries on Wangtong were silenced, and the troops (under Major Pratt of the 26th Cameronians), which had been previously embarked in the *Nemesis* and *Madagascar* steamers, consisting of the detachments of her Majesty's 26th and 49th Regiments, 37th Madras Native Infantry, and Bengal Volunteers, together with the Royal Marines, were landed, and in a few minutes masters of the island, without any loss; 1,300 Chinese surrendered.*

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* Bocca Tigris, Feb. 27, 1841.

"Sir,—It having been determined to attack the forts at the Bocca Tigris on the 26th inst., and the part allotted to the troops under my orders being to land on the island of North Wangtong, on the evening previous two 8-inch howitzers, one 24-pounder howitzer, and a rocket tube, were placed on South Wangtong, with a covering party of Royal Marines and 37th Madras Native Infantry. A breastwork was thrown up during the night, and the guns placed, the Chinese keeping up a noisy but ineffectual fire during this operation nearly the whole night. At daylight these guns opened their fire, and threw shells and rockets into the forts and fieldworks on North Wangtong with the greatest effect, setting fire to some of the houses. The Chinese returned the fire with spirit for some time from a battery of eighteen guns opposite, but slackened the fire, and latterly ceased firing.

"About eight o'clock the troops were embarked in boats, ready to land, when the batteries at the south-west end of the island had been dealt with by her Majesty's ships. At twelve o'clock, on the ships giving their fire, the enemy were seen flying across the island and the large fort at the south-east end; the signal was made for the troops to land, which they did just in the rear of the south-west fort. The nature of the ground rendered much regularity of formation impossible; the troops moved on as they landed, accompanied by the seamen with the scaling-ladders, and drove the Chinese, who made scarcely any resistance, from the field batteries, which from this point were all taken in the reverse, and, entering the gate along with the flying enemies, in a few minutes the British flag was hoisted on the north-east fort, which, with the two forts on the Anunghoy side, commands the river, and we soon had the proud satisfaction of seeing that these forts had yielded to the ships attacking on that line.

"The fort at the south-east end of North Wangtong has a formidable battery of forty heavy guns, above which there is another tier of fifteen guns, and a large high wall enclosure all round it, containing barracks. The fort at the south-west end has a similar battery, excepting the upper tier and enclosure; the Chinese had lately nearly encircled the island with fieldworks, mounting sixty-three guns, besides gingals, and in the centre is a circular tower with a few guns; in all we found on the island 167 guns. I am very happy to say, this service was performed without a single casualty on our side; the enemy suffered more severely; they had about 2,000; of these we took 1,300 prisoners, including the wounded. The remainder were killed or drowned in attempting to escape: A few were observed escaping in boats in the morning.

The detail of the troops employed is annexed, and it is now my duty to bring to your notice the praiseworthy conduct of the whole force, and especially to mention Major Johnstone, 26th Regiment, commanding the column directed to escalade; Captain Ellis, R.M., in command of column directed to force the gate; Captain Duff, commanding the 37th Native Infantry; and Captain Ince, the two companies of Bengal Volunteers. I must earnestly point out the services rendered by Captain Knowles, Royal Artillery, having under him Lieutenants Hon. C. Spencer, R.A., and Caddell, Madras Artillery, in charge of howitzers on South Wangtong; Lieutenant Burdwood, Madras Engineers,

"The Anunghoy batteries had now been silenced by the beautiful precision with which the fire of the *Blenheim*, *Melville*, and *Queen* had been directed, and, perceiving that the enemy were shaken, Sir Le Fleming Senhouse, at the head of the marines and small-arm men, landed on the southern battery, and drove them in succession from that and the two others, and at one o'clock the British colours were flying on the whole chain of these celebrated works; and the animated gallantry displayed by the whole force, convinces me that almost any number of men the Chinese could collect, would not be able to stand before them for a moment.

"Our casualties are trifling, five wounded, slightly, in the whole force; the maintopmast and foreyard of the *Blenheim* were shot through, one 32-pounder gun rendered unserviceable, several shot in the hull, and the rigging much cut up; the *Melville*'s maintopmast wounded, and rigging considerably injured; the *Calliope* was struck in several places, and the other ships had merely a few ropes cut. The loss of the enemy was severe, but not so heavy as at Chuenpee, 1,300 (as before stated) having thrown down their arms. I should estimate their killed and wounded at 250 in Wangtong; probably as many in Anunghoy, at which place the Chinese Ad-

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who superintended the erection of the breastwork, whilst Lieutenants Rundell and Jackson, Madras Engineers, accompanied me to lead the respective columns of attack. As before, I received essential services from Lieutenant Stransham, R.M., acting as Brigade-Major, and from Lieutenant Stewart M'Kenzie, 90th Light Infantry, your military secretary, who acted as my aide-de-camp. I take the liberty of naming to you the admirable style in which Commander Fletcher, her Majesty's ship *Wellesley*, headed the seamen bearing the ladders, and arranged the landing. I enclose a list of the ordnance captured at the various points of attack by the fleet and troops under your orders, showing a total of 339 guns.

I have the hour to be, &c.,

F. L. Pratt, Major, 26th Cameronians, Commanding the Force.

His Excellency Commodore Sir J. J. G. Bremer, K.C.B., K.C.H., Commander-in-Chief, &c.

Return of Casualties.—Total wounded, one officer, four seamen.

Return of Ordnance mounted on the Anunghoy Forts.—South Anunghoy Fort: Brass guns, two 10-75 inch, 11 feet 3 inches long; two 8-75 inch, 10 feet 2 inches long. Iron guns, one 60-pounder, one 42-pounder, fourteen 32-pounders, seventeen 24-pounders, eleven 18-pounders, twenty-two 12-pounders, twenty-seven 9-pounders, four 6-pounders, one 4-pounder.—Total, 98. North Anunghoy Fort: eight 42-pounders, five 32-pounders, three 24-pounders, two 18-pounders, four 12-pounders, eighteen 9-pounders.—Total, 40. Sand-bag Battery, at the east side of South Anunghoy Fort: four 9-pounders, four 6-pounders, seven 4-pounders.—Total, 15. Sand-bag Battery, north-east of South Anunghoy Fort: one 12-pounder, six 9-pounders, one 6-pounder, two 3-pounders, three 4-pounders, two less than 3-pounders.—Total, 15.

Return of Ordnance on the Island of Wangtong.—Iron guns, one 68-pounder, one 42-pounder, eighteen from 24 to 32-pounders, eleven from 18 to 24-pounders, sixteen from 12 to 18-pounders, twenty-four from 9 to 12-pounders, thirty-five from 6 to 9-pounders, fifty-two from 3 to 6-pounders, six less than 3-pounders, three destroyed by shot.—Total, 167.

General Abstract.—South Anunghoy Fort, 102 guns; North Anunghoy Fort, 40 guns; Sand-bag Battery, east side of South Anunghoy Fort, 15 guns; Sand-bag Battery, north-east side of South Anunghoy Battery, 15 guns; Island of Wangtong, 167 guns.—Total, 339 guns.

miral, Kwang, and several other mandarins of rank, fell. The body of the admiral was recognised by his family, and taken away the day after the action, under a fire of minute guns from the *Blenheim*.

"On the morning of the 27th, the light squadron proceeded up the river, under the command of Captain Herbert, of the *Calliope*, and on the day following, I was gratified by receiving a despatch from him, reporting, that on their arrival off the first bar, the enemy were observed strongly fortified on the left bank of the river, close to Whampoa Reach, with upwards of forty war junks, and the *Cambridge* (formerly an East Indiaman of 900 tons); on approaching within three miles, the *Madagascar* and *Nemesis* steamers, having on board his Excellency and Captain Herbert, proceeded to reconnoitre, and find out a clear passage, a number of vessels having been sunk; on advancing, a heavy fire was opened on the steamers, which was returned with great effect. The ships were now brought up, and opened fire on the junks, *Cambridge*, and batteries, which in an hour were nearly silenced, when the marines and small-arm men were landed, and stormed the works, driving before them upwards of 2,000 of the Chinese troops, and killing nearly 300. In about half an hour after landing, all the defences were carried (though in several places brave and obstinate resistance was made). In the mean time, the *Cambridge* was boarded, and carried by the boats of the *Calliope*, *Nemesis*, and *Modeste*, and almost immediately set on fire; the explosion of this vessel's magazine must have been heard at Canton. The fort (mud) mounted on the river front forty-seven guns; on the left flank, three; a field-work, four; the *Cambridge*, thirty-four; besides ten mounted in a junk, making altogether ninety-eight guns.

"The war junks escaped up the river, where the ships were prevented pursuing them by a strong raft placed across the passage. The guns and other munitions were destroyed. In this gallant affair the casualties (considering the opposing force) are few—one killed, three dangerously and five slightly wounded."*

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* 'Her Majesty's ship Calliope, above the first bar, and below Whampoa, Feb. 27, 1841.

"Sir,—The division named in the margin,* that you did me the honour to place under my command, advanced up the river this morning, passing Tiger Island, the second bar, and reaching near the first bar by noon, piloted by Captain Elliot, her Majesty's Plenipotentiary, whose perfect knowledge of the shoals enabled us to effect the passage without difficulty. From this position we observed the enemy strongly fortified on the left bank of the river, close to Whampoa Reach, with upwards of forty war junks, and the *Cambridge*, formerly an East Indiaman of 900 tons, with an Admiral's flag at the main. On approaching within three miles I proceeded with the steamers, his Excellency, and Commander Belcher, to reconnoitre, and find out a clear passage (a number of vessels having been sunk). On advancing, a heavy fire was opened on the steamers, which was immediately returned with great effect. Having satisfied myself that the enemy could be dislodged, I hastened up the ships, the *Sulphur* leading, the whole taking up such an admirable position that the enemy's batteries, protecting their strongly-intrenched camps and the guns,

* *Calliope*, *Herald*, *Alligator*, *Sulphur*, *Modeste*, and *Madagascar* and *Nemesis* steamers.

"On the morning of the 1st instant, I proceeded up the river to join the advanced squadron, in the *Madagascar* steamer, taking the transport *Sophia* in tow; Captain Maitland, with the boats and 100 small-arm men, together with the marines of the *Wellesley*, accom-

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of their fleet were in an hour nearly silenced, when I landed with the seamen and marines under the officers named in the margin, and stormed the works, driving before us upwards of 2,000 of their best troops, and killing nearly 300. In about half an hour after landing, all the defences were carried (though in several places brave and obstinate resistance was made by some of the troops composing the Governor's guard), mounting on the river front forty-seven guns; in the left flank, three; a field-work, four; and the *Cambridge* with thirty-four, besides ten unmounted in a junk, making together ninety-eight guns. While the intrenchments were storming, Lieutenant Watson, assisted by the officers enumerated in the margin, gallantly boarded the Admiral's ship, whose flag, hauled down by Mr. St. Leger, mate of the *Calliope*, I have the honour to send you. The war junks escaped up the river, while we were prevented from pursuing by a strong raft placed across the passage. The guns of the fleet, and other munitions, have been destroyed, and the *Cambridge* set on fire, whose explosion must have been heard at Canton.

"It affords me much satisfaction, in having to speak of the excellent and efficient practice of the *Nemesis* and *Madagascar*, and the full effect given to the affair generally, on our combined efforts being brought to bear upon the opposing force.

"To Captains Nias and Kuper, and Commander Eyres, I am much indebted for the able support they afforded me; and Commander Belcher, though suffering from indisposition, has rendered me essential service in bringing the ships in, as did Mr. Richard Browne, master of the *Calliope*. Captain Belcher also attended me when on shore. Captains Kuper and Eyres joined the moment they could leave their ships, rendering great assistance in superintending the destruction of the materials. To Lieutenant Birdwood, of the Madras Engineers, who joined me while reconnoitering, I am much indebted for his zeal and suggestions, and also to Lieutenant Foulis, of the Madras Artillery, attached to the *Madagascar*, for the able and effective manner in which he directed the guns of that vessel. To Lieutenant Stransham, Royal Marines, of the *Calliope*, I have to acknowledge my sense of his services in arranging and directing the Marines of the squadron on landing, and for his endeavours to repress the destruction of life after resistance had ceased. He speaks in high terms of the support he received from Lieutenant C. C. Hewett, Royal Marines, of the *Herald*, and Lieutenant Hayes Marriott, Royal Marines of the *Alligator*. Reports from the respective captains have been made of the gallant and steady conduct of the officers, seamen, and Royal Marines under their command; and I am proud of the opportunity of again bearing the like testimony of the *Calliope*'s.

"To his Excellency her Majesty's Plenipotentiary, who accompanied me through the whole affair, my grateful acknowledgments are due.

"Our casualties, considering the force opposed to us, I am happy to say, are small; and, in enclosing you the particulars, with a sketch of the enemy's position.

"I have, &c.,
"THOMAS HERBERT,
"*Captain.*"

"P.S.—Lieutenant D'Eyncourt will deliver this with the Admiral's flag, and give you such further information as you may require."

"*Memorandum.*—Length of the force of battery in the river bank mounting forty guns, 280 yards, with a flank of twenty-four yards in length, mounting three guns; length of unfinished line of intrenchment connecting the battery and the river bank and lower battery 300 yards.

The river face of lower battery, eighty-five yards long, with three embrasures, but no guns mounted in them; left flank thirty yards long, with four embrasures, and mounting four guns.

Return of Casualties.—One seaman killed, six seamen wounded, two marines wounded.

panied me. The *Queen*, taking the *Eagle* transport in tow, on board which ship I had embarked the marines of the *Blenheim*, *Melville*, and *Druid*, also attended by the boats of those ships, all being armed with their guns and howitzers.

"On arriving at Whampoa, I found, from Captain Herbert's report, that the enemy were in considerable force at the end of 'Junk Reach,' having as usual sunk several large junks in the river, and further protected themselves by a strong double line of stakes across it, and large bamboos and branches of trees between them. On the following morning I detached Commander Belcher, in her Majesty's ship *Sulphur*, up Junk River, to reconnoitre, that ship being taken in tow by three of the *Wellesley*'s boats, under command of Lieutenant Symonds, senior lieutenant of the latter ship; on rounding a point on the right bank, they came in front of a low battery of twenty-five guns, masked by thick branches of trees, which opened a heavy fire on them; Lieutenant Symonds instantly cut the tow-rope, and gallantly dashed into the battery, driving the enemy before him, and killing several of their number. The *Sulphur* anchored, and some shot from her completely drove them from the thick underwood in the vicinity in which they had taken shelter; the guns were destroyed, and the magazine and other consumable materiel set on fire. The number of troops was probably 250, and they were of the chosen Tartars; their loss was about fifteen or twenty killed; ours was one seaman of the *Wellesley* mortally wounded (since dead), and the boats were repeatedly struck by grape shot.

"As soon as a cursory survey of the river was made, the *Herald*, *Alligator*, *Modesté*, and *Eagle* and *Sophia* transports, were pushed forward within gun-shot of Howqua's fort; and thus, for the first time, were ships seen from the walls of Canton; on the 2nd, the *Cruizer* joined me, having on board Major-General Sir Hugh Gough, who took command of the land forces. The *Pylades* and *Conway* also joined from Chusan, and the two first-named vessels were sent in advance; on the 4th, in concert with the Major-General, an attack was planned for the next morning, but on approaching, the fort was found to be abandoned, and the British colours were hoisted; a garrison of the 26th Regiment was placed in it, and a company of Royal Marines, under the command of Captain Ellis, R.M., took possession of a large joss-house on the left bank (which the enemy were beginning to fortify), and rendered himself secure, while the seamen soon removed some of the stakes and other impediments, and made a clear passage for ships. I may here describe the position:—

"On the right bank of the river, on the point formed by the mouth of a creek (which is a boat-passage to Whampoa), was Howqua's Fort. A square building mounting thirty guns, from the northern angle, the stakes mentioned extended to the opposite bank, the ground on each side being low paddy fields, cut and intersected by canals in all directions. The joss-house rather projected into the stream, and consequently was a good position. The river here is about 500 yards wide; 2,000 yards in front is a long low island, which divides the river into two branches, and on the extreme

eastern point of which stood a fort, mounting thirty-five guns, built to commemorate the discomfiture and death of the late Lord Napier; from this fort, a line of well-constructed and secured rafts (forming a bridge), extended to both sides of the river; on its right bank, flanking Napier's Fort and the raft, was a mud battery intended for thirty-five guns; on the left was a battery, also flanking Napier's Fort, on which the enemy had forty-four guns, most of which they withdrew on the night of the 4th. In addition to these defences, stone junks were sunk in all parts of the river, between the stakes and the left of Napier's Fort, which raft also rested upon sunken junks, secured on either side within piles.

"The position seemed formidable, and on the 5th the Major-General and myself prepared to attack it. He landed at the joss-house, having with him the Royal Marines and detachment of the 26th, for the purpose of taking the battery on the left bank; the ships weighed and dropped up with the tide; on the approach of the first ship, the enemy fired all their guns, and fled across the rafts, and in boats. The British colours were then hoisted.

"A paper was issued, calling on the people to place confidence in us, and to avoid hostile movements, in which latter case protection was ensured to them. At noon, the Kwang-Chow-Foo, or Prefect, accompanied by the Hong merchants, came down, and, after a long discussion with the Plenipotentiary, admitted, that Keshen having been degraded, and the newly appointed commissioners not having arrived, there was no Government authorzed to treat for peace, or make any arrangements; they confessed the truth of the reports we had heard, that the greatest consternation existed in the city, and that every person who could quit it had done so; in fact, that it was at our mercy, and it has so remained, a monument of British magnanimity and forbearance; I fear, however, that the forbearance is misunderstood, and that a further punishment must be resorted to before this arrogant and perfidious Government is brought to reason.

"Her Majesty's Plenipotentiary being, however, desirous to try the effect of another proclamation, and to show his desire for an equitable adjustment of affairs, addressed the Major-General and myself, requesting that we would make no further movement towards the city, until the disposition of the provincial government officers was put to the test, as far as regards their non-interference; and we have consequently remained *in statu quo*, but reports (on which we can rely) are daily reaching us, which state that fire-vessels are fitting out about seven miles above Canton; forts, in the rear of the city, in course of erection; and the people are forbidden to bring us supplies, while the teas and silks, and every other valuable, are removing from it.

"These proceedings, so directly contrary to the assurances of pacific intentions (which they are ever ready to deal forth in profusion), lead me to the conclusion, that we shall have to proceed even at the risk of the destruction of the second city of the empire, an event exceedingly likely to occur from its abandonment by the authorities, and the excesses of the lower classes of a community proverbially bad. The responsibility

must, however, rest on the heads of those authorities.

"I this day returned to Wangtong, accompanied by the Major-General, in order that the arrangements in that garrison may be carried out, and plans devised for our further operations.

"I have the honour to be, &c.,

"J. G. GORDON BREMER,
"*Commodore and Commander-in-Chief.*"

TO THE RIGHT HON. GEORGE EARL OF AUCKLAND, G.C.B., &c., GOVERNOR-GENERAL OF INDIA IN COUNCIL.

"*Wellesley, off Wangtong,*
"*March* 27, 1841.

"MY LORD,—In continuation of my letter of the 10th inst., I have the satisfaction to inform your Lordship, that on the 15th, I received a report from Captain Herbert, of Her Majesty's ship *Calliope*, detailing a well-executed attack on the only remaining fort protecting the approaches to the city of Canton.* This fort is situate about ten miles from the anchorage at Whampoa, up a narrow and intricate channel which ends in the Broadway, or Macao passage from Canton. The attack commenced, about five P.M., from the *Modeste* and *Madagascar* steamer, with the boats of the squadron, and in half-an-hour the works were in our possession, the

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* (Copy.)

"Fort, two miles above Canton, near the entrance to the Macao Passage, March 13th, 1841.

"SIR,—In conformity with your orders of the 12th instant, and having waited twenty-four hours after the arrival of the last chop delivered, and seeing nothing of a pacific nature on the part of the Chinese, I proceeded with the force under the officers named, to the fort and rafts, mounting twenty-two guns, with eight small ones laid on a sand-bank, flanking the rafts, strongly posted and well constructed, near the Canton entrance of the Macao passage; at about 5 P.M. commenced the attack, and carried the whole of the enemy's works in about half-an-hour, the Chinese keeping up a well, direct, and animated fire, till our forces were under the walls, and in the act of storming, when they gave way and fled in all directions, thus leaving the now only remaining protection of the city in our hands, giving Her Majesty's forces the command of the river above and below it, and to depend upon its mercy for its daily subsistence.

"The boats I placed under the direction of Captain Bethune, to whom I am much indebted for the steady manner in which they were brought to the attack; and also to Captain Kuper, Commanders Barlow, Gifford, Anson, and Clarke, who volunteered their services, and the assistance they gave throughout the affair; much credit is due to Commander Belcher for his zeal in trying to get the *Sulphur* up this intricate channel; and to Commander Eyres, whose ship was brought to an excellent and effective position, within about 600 yards of the fort, towed by the *Madagascar*, piloted by that very skilful and highly meritorious officer, Lieutenant Collinson; Mr. Dicey, the Commander of the *Madagascar*, also calls for my highest commendation; as well as Lieutenant Foulis, Madras Artillery, for the manner in which he managed his guns, and the Royal Marines, under the orders of Lieutenant Stransham, assisted by Lieutenants Hewitt, Marriott, and Polkinghorne, who acquitted themselves on the occasion as that gallant corps is always in the habit of doing. The loss to the Chinese I have not been able to ascertain; several were found dead in and near the fort. Our own casualties, as far as I can learn, do not exceed three wounded.

"I have the honour to be, &c.
"T. HERBERT, Captain."

"Commodore Sir J. G. Bremer, K.C.B., K.C.H.
"Commander-in-Chief."

Chinese keeping up a well-directed fire until the boats' crews were in the act of scaling the walls, when they gave way and fled in all directions. They were devoting the whole of their attention to the strengthening of the defences of this post, and had rendered it one of the most formidable which had been encountered. I am, therefore, happy that it is in our hands. The loss of the Chinese is not correctly known; many were found dead in the fort. Our own casualties do not amount to more than three wounded.

"The zealous desire of every officer and man in the squadron to seek occasions in which to distinguish himself, has led to the performance of various well-executed services; amongst them is the forcing the inner passage from Macao to Whampoa, which was deemed by the Chinese impenetrable to foreigners. Her Majesty's Plenipotentiary having represented to the senior officer in Macao-road the great advantages likely to accrue by this step, his views were at once acceded to by Captain Scott, and preparations made for carrying it into effect. At three A.M., on the 13th, the *Nemesis*, with the boats of the *Samarang* in tow, weighed from Macao-roads, and proceeded over the flats between Twee-lieu-shaw and Toi-koke-tow Islands to the Broadway River. At eight, A.M., they came in sight of Motao Fort, and the steamer having taken up an enfilading position, where not a gun of the enemy could bear upon her, opened her fire, whilst the boats proceeded to the attack. On their approach, the Chinese abandoned the place. Thirteen guns were found mounted, which were completely destroyed, the buildings set fire to, and a train laid to the magazine, which exploded before the boats returned to the *Nemesis*. On reaching Point How-Hoak-Tow, the river is divided into two channels—that to the right takes a sudden sharp turn, and becomes very contracted in its breadth. Here they discovered Tai-yat-kok, a field battery (very recently constructed) of fourteen guns, very strongly posted on a rising ground, situated on the left bank of the river, surrounded by overflowed paddy fields, which enfiladed the whole line of the reach leading up to it. As the steamer appeared round the point, the enemy opened an animated fire upon her, which was smartly kept up. It was most effectually returned by the two guns from the *Nemesis*, which vessel threw her shot, shells, and rockets admirably. The boats advanced under the slight cover of the bank; but, before a landing could be effected on their flank, they abandoned the guns, when possession of the work was taken by a narrow pathway, which could only be passed in single files. The guns were destroyed and the buildings and materials consigned to the flames and blown up. Meanwhile, a detachment of the boats had gone over to the opposite side of the river, and destroyed a military station or dépôt. At noon nine war junks were seen over the land, and chase immediately given. On entering the reach in which they were, Captain Scott observed on the right bank of the river a new battery, scarcely finished, with ten embrasures, but without guns, and Hochang Fort close to it, well built of granite, surrounded by a wet ditch, and mounting fourteen guns and six gingals. Abreast of

these, which they flanked, the river was strongly staked across, through the centre of which the last junk had passed, and the opening again secured. The enemy immediately commenced firing from the fort and junks, which was replied to by the *Nemesis* with good effect, while the boats opened a passage through the stakes, and dashed on to the attack of Hochang and the junks. The former was secured by wading the ditch and entering the embrasures, and the latter, seeing the fall of the fort, became so panic stricken, that on the approach of the boats seven got on shore, their crews jumping overboard immediately they grounded, two junks alone escaping. Lieutenant Bower in pushing to cut them off, discovered Fiesha-kok on the left bank of the river, within 100 yards of the advanced junk aground, which fort, mounting seven guns, opened a heavy fire of grape upon him. Observing that the junks were abandoned by their crews, he turned all his attention to his new opponents, whom he drove out of their stronghold by passing through the adjoining town and taking them in reverse.

"In the meantime Mr. Hall dexterously managed in getting his vessel through the centre passage of the stakes, which fortunately was just sufficiently wide to admit of her passing. At 30 minutes after 2, the boats returned to the steamer, after having destroyed all the guns, and set fire to Fiesha-kok fort, and the seven war junks, which all blew up within a quarter of an hour. Chase to the two escaped junks recommenced, during which they passed two dismantled forts. At 4 P.M. they arrived off the large provincial town of Hiangshan, one of the large war junks preceding them about a mile, the dense population thickly crowded the banks, boats, junks, house-tops, the large pagoda, and surrounding hills; both sides of the river were packed by the trading craft of the country in the closest possible order; the centre of the river, which is very narrow here, having merely sufficient space to allow the steamer's paddle-boxes to pass clear of the junks moored to its banks; not the slightest fear was manifested by the people, but several mandarins took to their boats and followed the war junks, which were closed so rapidly that one of them ran on shore, the crew jumping overboard; the steamer brought up abreast of her and destroyed her: while thus employed, the fort of Sheang-chap, within 200 yards (but hidden by some intervening trees), opened its fire, which was instantly returned, and the boats, with the marines of the Samarang, stormed it; its eight guns were destroyed; a number of Chinese troops coming down towards the fort made it necessary to fire two or three shots, which, going directly in the midst of the body, scattered and dispersed them in an instant. At 6 P.M. the junks and fort were fired, and the steamer passed on into a narrow shallow channel, scarcely more than the breadth of a canal, when she anchored head and stern for the night.*

* Samarang's Gig, Whampoa Roads, 6 P.M., March 15, 1841.

Sir,—His Excellency Her Majesty's Plenipotentiary having, on the afternoon of the 12th instant, suggested to me the great advantages likely to accrue by forcing the inner passage from Macao to Whampoa (deemed by the Chinese impenetrable to foreigners), and fully agree-

"At daylight on the morning of the 14th they weighed and proceeded up the river in the steamer's draught of water, and not broader than her own length, grounding occasionally on both sides; at 7, 50, arrived at the large village of Hong-how, with a fort of the same name at the upper part, which flanked a strong and broad line ef stakes twenty feet wide, completely across the

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ing with him upon the subject, I made no hesitation in immediately acceding to his views, and making the necessary preparation for carrying them into effect.

I have now the honour of communicating the result of my operations.

At three o'clock A.M. on the 13th I proceeded with the small arm men and marines in the boats named in the margin,* on board the *Nemesis* steamer, where I was shortly afterwards joined by his Excellency Captain Elliot, when we got under weigh from Macao-roads, and proceeded over the flats between Tweelienshan and Towkocktow Islands into the Broadway river.

At eight o'clock A.M. we came in sight of Motao Fort, which we closed in less than half an hour. The steamer having taken up an enfilading position on its southern angle (where not a gun of the enemy could bear upon her), opened her fire, whilst we proceeded in boats to the attack. So accurately were her shot directed, that the enemy, on our approach in the boats, abandoned the place and fled.

We found thirteen guns mounted, which were completely destroyed, the buildings in the interior set fire to; and having laid a train to the magazine, we re-embarked; before we reached the *Nemesis* it exploded, effectually finishing our work on that point.

On reaching point How Hong Tow, the river is divided into two channels; that to the right, which we pursued, takes a sudden sharp turn, and becomes very contracted in its breadth. Here we discovered Tai-Yat-Kok, a field battery (very recently constructed) of fourteen guns, strongly posted on a rising ground, situated on the left bank of the river, environed by overflowed paddy fields, which enfiladed the whole line of the reach leading up to it.

At thirty minutes past ten A.M., as we appeared round the point, the enemy opened out an animated fire upon us, which was smartly kept up as we advanced; it was most effectually returned by the two guns from the *Nemesis*, who threw her shot, shells, and rockets admirably.

Under the slight cover of the bank we advanced in the boats, but before we could effect a landing on their flank they abandoned their guns, when we took possession of the work by a narrow pathway, which could only be passed in single files.

Observing a war junk who had opened her fire about a mile above the battery, I despatched Lieutenant Bower with the two pinnaces in chace, accompanied by the steamer, but as I could not complete the destruction of the guns and battery under three quarters of an hour, the chace was necessarily given up until my return on board.

During the above period a military dépôt and station on the opposite side of the river were destroyed by Lieutenant Maitland, whom I had despatched thither for that purpose.

The moment I returned the chace of the war junk was resumed; at forty minutes past twelve P.M., we again got sight of her with eight others, which were seen over the land. As we entered the reach which they occupied, we discovered on the right bank of the river a new battery, scarcely finished, with ten embrasures, but without guns, and Hochung Fort close to it, well built of granite, surrounded by a wet ditch, mounting fourteen guns and six gingals. Abreast of these, which they flanked, the river was strongly staked across, through the centre of which the last junk (our chace) had passed, and the opening again secured. The enemy immediately commenced firing upon us from the fort of Hochung and their war junks (now under sail), which was replied to by the *Nemesis* with the usual effect, while the boats opened a passage through the stakes, and dashed on to the attack of Hochung and the junks, Lieutenant Bower gallantly leading on the

* Pinnace mounting twelve-pound carronades; cutter, six-oared gig, four-oared gig; *Atalanta* pinnace, mounting twelve-pound howitzers.

river, filled up in the centre by large sunken junks laden with stones; on discovering the fort the *Nemesis* opened fire, which was instantly returned by the enemy; as in all the preceding actions, they fled the moment the boats landed to attack them; they had evidently expected to be assailed on the opposite side to that by which the *Nemesis* approached, the walls being piled up with

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division under his orders against the latter, whilst the others secured the fort by evading the ditch, and entering the enemy's embrasures. Seeing the fall of the fort, the war junks became so panic-struck on the approach of the boats, and were thrown into such utter confusion, that seven got ashore, the crews jumping overboard immediately they grounded, two junks alone escaping. Lieutenant Bower, in pushing to cut the latter off, discovered Fiesharkok on the left bank of the river, within 100 yards of the advanced junk aground, which fort, mounting seven guns, opened out a heavy fire of grape upon him; observing that the junks were abandoned by their crews, he nobly turned all his attention to his new opponents, whom he drove out of their stronghold, by passing through the adjoining town and taking them in reverse.

In the meantime Mr. Hall dexterously managed in getting his vessel through the centre passage of the stakes, which fortunately was just sufficiently wide to admit of her passing, without detaining or giving us the trouble of removing any of them.

At forty-five minutes past two we returned on board the steamer, after having destroyed all the guns and set fire to Feisharkok Fort and the seven war-junks, as per margin,† which all blew up before we were out of sight of them.

At daylight on the morning of the 14th we weighed and proceeded up the river in the steamer's draught of water, and not broader than her own length, grounding occasionally on both sides.

At fifty minutes past seven arrived at the large village of Konghow; at eight observed the fort of the same name, at the upper part of the village, which flanked a strong and broad line of stakes, twenty feet wide, completely across the river, filled up in the centre by large sunken junks, laden with stones. On discovering the fort we opened our fire, which was instantly returned by the enemy. As in all the preceding actions, they fled the moment we landed to attack them. They had evidently expected us from the opposite side to that by which we approached them, the walls being piled up with sand bags outside in that direction. Nine guns were destroyed here and the fort blown up.

At daylight this morning we continued our course upwards; at thirty minutes past seven arrived off the large village Tamchow, under the banks of the upper part of which a number of soldiers, with matchlocks, were descried, endeavouring to conceal themselves, upon whom a fire of musketry was opened as we passed, which dispersed all those who were unhurt in less than a minute.

On moving up to Tsgnei, a large town on the left bank of the river, three forts were passed, all dismantled and abandoned. The Custom-house of the latter place was destroyed, as well as a man-of-war junk, mounting seven guns, which the crew had quitted on our approach. On proceeding up to Whampoa, we passed through a very beautiful country; three more dismantled forts were observed in our route. At four o'clock, P.M., we arrived at this anchorage, having destroyed five forts, one battery, two military stations, and nine men-of-war junks, in which were 115 guns, and eight gingals; thus completing our object, by proving to the enemy that the British flag is capable of being displayed throughout their inner waters wherever and whenever it is thought proper by us, against any defence or mode they may adopt to prevent it.

It is a pleasing gratification on my part, in being enabled to inform your Excellency, that this service has been accomplished without the loss of a single man on our side, and only three seamen slightly wounded belonging to her Majesty's ship *Samarang*.

To his Excellency Captain Elliot my warmest and best thanks are due, for

† One large junk, mounting nine long guns; one ditto, mounting eight long guns; two ditto, mounting six each; one smaller ditto, mounting four guns; two ditto, mounting two guns.

sandbags outside in that direction; nine guns were destroyed here and the fort blown up, after the *Nemesis* had made good her passage through the stakes, which was effected after four hours' incessant labour, assisted by the natives, who flocked on board and around in great numbers after the firing had ceased, all apparently anxious to aid in destroying the stakes.

"At 4 P.M. they arrived off a military station; a shot was fired into the principal building, which drove out the garrison who had screened themselves in it; the boats were then sent on shore, and the whole establishment, together with a mandarin boat, mounting one nine-pounder and two gingals, were destroyed, and at 6 the steamer anchored for the night.

"At daylight on the 15th, the *Nemesis* continued her course upwards, and at 7, 30, arrived off the large village Zamchow, under the banks of which a number of soldiers with matchlocks were descried endeavouring to conceal themselves, upon whom a fire of musketry was opened, which dispersed all those who were unhurt in less than a minute.

"On moving up to Tsgnei, a large town on the left bank of the river, three forts were passed, all

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the very able and friendly assistance I received from him throughout the whole of our little expedition; to Messrs. Morrison and Thoms, who accompanied him, I feel under the greatest obligations for the efficient aid I received from them, by the knowledge of these gentlemen in the Chinese language, thus affording me the means of communication through them with the natives in our route, which proved of the highest importance; they fully participated in all the dangers of the expedition, as did likewise Captain Larkins, late of the Hon. East India Company's service, who was an amateur upon the occasion.

Of Mr. Hall, master, commanding the *Nemesis*, it is impossible for me to speak too highly; the cool, unwearied, zealous performance of his duties, under circumstances of frequent danger and difficulty, in traversing a navigation never before passed by an European boat or vessel; his gallantry, and the effective aid I received from the *Nemesis*, repeatedly called forth my warmest admiration. It is unnecessary for me to say more than that, in my humble opinion, he is deserving of every reward that can be bestowed upon him.

To Lieutenant William Pedder, R.N., acting as chief officer of the *Nemesis*, I feel indebted for the able and gallant manner in which he at all times supported the boats, with those of the steamer under his command.

The firing of Mr. Edward Crouch, gunnery-mate of the *Wellesley*, lent to *Nemesis*, was perfect rifle practice. Our rapid success I regard as mainly attributable to the admirable manner in which he punished the enemy. I beg leave earnestly to recommend him to your favourable notice and consideration.

The conduct of my gallant First Lieutenant, J. P. Bower, has always met with my highest approbation. Nothing could have surpassed his anxious zeal and gallantry the last three days. It again becomes my pleasing duty to draw your particular attention and favourable consideration to this meritorious officer.

Lieutenant Maitland, acting Lieutenant Lysaght, and Lieutenant Gordon, of the Royal Marines, as well as Messrs. Noble, Parkhurst, Luard, and Armitage (mates) Mr. Tucker, second master, and Dr. Mackay, assistant-surgeon, are entitled to my best acknowledgments for the gallantry and zeal they displayed throughout our operations.

Seamen and Marines vied with each other in being foremost upon every occasion.

Enclosed I forward herewith the list of wounded, and have the honour to remain, &c.

JAMES SCOTT, Captain.

Commodore Sir J. J. Gordon Bremer, C.B., K.C.H., Commander-in-Chief.

Casualties.—Three seamen wounded.

dismantled and abandoned: the Custom-house of the latter place was destroyed, as well as a war junk mounting seven guns, which the crew had quitted on the approach of the steamer. On proceeding up to Whampoa, three more dismantled forts were observed, and at 4 P.M. the *Nemesis* came to in that anchorage, having (in conjunction with the boats) destroyed five forts, one battery, two military stations, and nine war junks, in which were 115 guns and eight gingals, thus proving to the enemy that the British flag can be displayed throughout their inner waters wherever and whenever it is thought proper by us, against any defence or mode they may adopt to prevent it. This service has been performed without the loss of a single man on our side, and only three seamen slightly wounded, belonging to Her Majesty's ship Samarang. The greatest praise is due to Mr. W. H. Hall, R.N., Commander of the *Nemesis*, for the cool, unwearied, and zealous performance of his duties (under circumstances of frequent danger and difficulty) at all times, more especially in thus traversing a navigation never before passed by a European boat or vessel.

"On the 19th I was gratified by receiving a report from Captain Herbert, of Her Majesty's ship *Calliope*, commanding the advanced squadron, detailing the various operations of that force in the attack and capture of the forts, defences, and flotilla off Canton, and the hoisting the Union Jack on the walls of the British factory, the guns of the squadron commanding all the approaches to the city from the western and southern branches of the river, thus placing in our power the great provincial capital.*

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* "British Factory, Canton, March 18th, 1841.

"SIR,—This day the force under my orders carried and destroyed in succession all the forts in the advance and before Canton, taking, sinking, burning, or dispersing the enemy's flotilla, and hoisting the Union Jack on the walls of the British factory, the guns of the squadron commanding all the approaches to the city from the western and southern branches of the river, thus placing in our power the great provincial capital, containing upwards of 1,000,000 of inhabitants.

"I found myself forced to make this attack without your instructions, for the reasons so strongly expressed in Her Majesty's Plenipotentiary's note, herein enclosed (17th of March, 1841), considering it my duty to resent, with all the promptitude in my power, the insult offered the day before to the flag of truce sent with a chop to the Imperial Commissioner, at the desire of his Excellency.

"The flotilla of boats, formed into four divisions, was under the command of Captain Bourchier of the *Blonde*, Captain Bethune of the *Conway* assisting. Three divisions, under the immediate charge of Commanders Barlow and Clarke, and Lieutenant Coulson of the *Blonde*; Her Majesty's ship *Hyacinth* (to which too much praise cannot be given for the exertion displayed by Commander Warren, his officers and crew, in getting her through the intricate and difficult passes of the river, piloted by Commander Belcher, to be in readiness for operation), and a division of boats, under the command of these officers, were placed at the southern entrance of the river, communicating with the main stream at Fatee, to meet any retrograde movement of the numerous flotilla that had taken part in the aggression on the 16th instant.

"Every arrangement having been completed and understood, the whole force moved in advance about noon, the vessels, Marines, and three divisions of boats from the northward of the Macao fort, and within gunshot

"This was brought about by the Chinese having fired upon a flag of truce, sent with a chop to the Imperial Commissioner at the desire of his Excellency the Plenipotentiary. The flotilla of boats of the squadron formed into four divisions under the command of Captains Bourchier and Bethune, of the *Blonde* and *Conway*; every arrangement having been completed, the force moved in advance

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of the enemy's advance batteries, engaging them for about two hours and a half, when all opposition ceased, and the factory within the defences was taken possession of.

The *Modeste* was placed within 300 yards in front of the principal battery, and shortly gave proofs of her well-directed fire, flanked by the powerful guns of the *Madagascar*, Captain Dicey, with artillerymen under the direction of Lieutenant Foulis, Madras Artillery, and *Nemesis*, Mr. W. H. Hall, R.N., commanding, with artillerymen, under the direction of Captain Moore and Lieutenant Gabbett, Madras Artillery, who handsomely volunteered their services upon the occasion. The *Algerine* (Lieutenant Mason), and *Starling* (Lieutenant Kellett), passing ahead, cutting through the rafts on the right bank and engaging a part of the war junks, the *Hebe* and *Louisa* tenders taking part, at the same time, under cover of the ships' guns, the flotilla, with the Marines, was brought up in admirable order by Captain Bourchier, and upon the signal given stormed and completed the capture of this part of the enemy's works, notwithstanding a most determined resistance on the part of the Tatar troops. From this battery the vessels and flotilla moved forward, and carried the other defences in succession, amounting in the whole to 123 guns.

"By the great care of Captain Nias, his officers, and ship's company, the *Herald* was brought over the flats, and entered the reach during the engagement, which must have had considerable effect upon the enemy, by dividing their attention, not knowing what other force might be in reserve.

"Of Captain Bourchier, whose high character is so well known to you, Sir, and the service, I cannot speak sufficiently strong for the manner in which he conducted the forces under his immediate command, not only leading them into action in admirable order, but keeping them together in readiness for any outbreak of the immense population of such a crowded city, and I cannot refrain from mentioning his conspicuous and energetic exertions in towing off the burning junks, which were drifting upon the suburbs of Canton, and soon would have evidently set fire to that part of the city, and involved the destruction of the whole, in which he reports he was ably assisted by the officers under his directions. My thanks are also due to that excellent officer, Captain Berthune, and to Commanders Belcher, Warren, Barlow, and Clarke, for their great zeal. The Royal Marines, under Lieutenant Stransham, of the *Calliope*, assisted by Lieutenants Daniel, Hewitt, Marriott, and Polkinghorne, were, as usual, conspicuous for their gallant, steady, soldierly bearing. I have, however, to regret that Lieutenant Stransham, in exerting himself to destroy the works, was suddenly exposed to a heavy explosion, by which he has been considerably burnt, but continues at his post; to Lieutenants Kellett and Collinson, and Mr. Brown, master of the *Calliope*, every favourable consideration is due, for having made themselves particularly useful in sounding, and afterwards conducting several men-of-war safely to an anchorage off the city of Canton; indeed, my sincere gratitude is due to every officer, seaman, and marine, employed on this service, for their zeal and spirited conduct, from which it is to be hoped the most beneficial results will ensue.

"Your presence at the close of the action releases me from going further into detail.

"From the various reports brought in, we have been able to ascertain that the enemy's loss has been about 400 men.

"I have the honour to be, &c.

"T. Herbert, Captain."

"Commodore Sir J. J. Gordon Bremer, Knt., C.B., K.C.H., Commander-in-Chief, &c."

Return of Ordnance destroyed in the Defences near Canton.—Lower Battery,

about noon, and engaged the batteries for about an hour, when the flotilla, with the marines, under the command of Captain Bourchier, was brought up in admirable order, and, upon the signal being given, stormed and completed the capture of the enemy's works, notwithstanding a most determined resistance on the part of the Tatar troops:—123 guns were mounted in the different forts; the loss of the enemy has been very considerable (upwards of 400 men); our casualties, I am happy to say, do not exceed six wounded.

"This blow was followed by an agreement on the part of the High Commissioner to a suspension of hostilities, and afterwards by the publication of an edict, declaring the trade to be opened, and that all British and other merchants, proceeding to the provincial city shall receive due and perfect protection.*

"I endeavoured to push forward to the scene of action in the *Hyacinth's* gig, but only arrived towards its close, in sufficient time, however, to be gratified by the hoisting of the British colours. Thus, for the first time in the history of China, have ships been brought under the very walls of Canton, and by channels and branches on which a foreign ship never before floated. I believe the Chinese were not acquainted with the capabilities of their splendid river; assuredly they had no idea that the second city in the empire could be assailed by ships of war on its waters; I trust that the fact will have its due influence on the authorities, and I have no

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left bank, Macao-passage, 22 guns; Upper Battery, 9 guns; Sandbag Battery, on wharf, 9 guns; Western Fort, Canton suburbs (Shaween), 10 guns; Red Fort, opposite Canton factories, 20 guns; Dutch Folly, 25 guns; Sandbag Battery above arsenal, 13 guns; Two junks, moored off Admiral's house, 15 guns.—Total 123—besides those destroyed in Lin's and the Mandarin war-boats.

Casualties. — 1 officer, 6 seamen, wounded.

* "British Hall, Canton, March 20th, 1841.

"Sir,—I have the honour to acquaint you that I have this day concluded a suspension of hostilities in this province, the Imperial Commissioner having publicly proclaimed the trade to be opened, and that all British and other merchants proceeding to the provincial city shall receive due protection.

With a view to the restoration of confidence amongst the trading people, I have now to request you will have the goodness to move the vessels actually before Shameen, about half-way down towards the Macao Passage Fort, and I hope you will also do what may otherwise be in your power to evince sincerely peaceful purposes respecting the population, without, however, removing a sufficiently pressing force from the near neighbourhood of the city.

"I am persuaded, too, that you will recognize the soundness of manifesting every degree of proper respect for the Government, and every disposition to uphold its character in the sight of the people, which may be compatible with the paramount necessity of keeping awake a lively sense, that renewal of ill faith will be responded to by an immediate blow.

"It must be quite superfluous to assure you, Sir, I depend with great confidence (and with constant thankfulness) upon your continued earnest efforts to prevent accident at Canton. But, perhaps, I may be pardoned for suggesting, that for the present no person or boat be allowed to land without the express permission of the senior officer on the spot.

"I have, &c.

"Charles Elliott,
Her Majesty's Plenipotentiary."

"Captain Herbert,
"Senior Officer, &c."

doubt that the forbearance displayed towards a city so completely at our mercy as this is, will be appreciated by the better classes of the community, who have everything to lose, and the benevolence of the British character more fully understood than it ever yet has been in this country.

"The gratifying spectacle of our ships in this position is solely attributable to the unwearied exertions of the captains, officers, and men belonging to them, in sounding the various inlets through which they passed, not a single Chinese pilot having been employed throughout.

"In conclusion, we may on this, as on former occasions, congratulate ourselves on this service having been performed without any loss of life on our side, and only seven wounded (severely), amongst whom is that gallant officer, Lieutenant Stransham, Royal Marines, of Her Majesty's ship *Calliope*, Acting Brigade-Major.

"I have the honour to be, my Lord, your Lordship's most obedient humble servant,

"J. J. Gordon Bremer,

"*Commodore of the 1st Class,*
"*Commander-in-Chief.*"

To the Right Hon. the Earl of Auckland, G.C.B., &c., Governor-General.

"*Her Majesty's Ship Wellesley,*
"*Bocca Tigris, March 11th.*

"My Lord,—I have the honour to report to your Lordship my arrival on the 1st instant in the Canton river, and of my having joined and assumed the military command of the expeditionary force, on the 2nd, at Whampoa-reach, where I found Commodore Sir Gordon Bremer and Her Majesty's Plenipotentiary, Captain Elliot, with the advanced division of the fleet and transports, except 200 men of the 37th Madras Native Infantry, left at North Wangtong, as a protecting force.

"2. The Commodore will have communicated to your Lordship the operations up to that period, embracing the capture of the Bogue forts at either side the Bocca Tigris, on the 26th of February, the forcing the barrier at the first bar on the following day, together with the assault and capture of a heavy battery which flanked it, and the destruction of the ship *Cambridge*.

"3. Having unfortunately arrived too late to participate in those operations, I cannot refrain from expressing my admiration of the noble, daring, and judicious execution which thus reduced, within a few hours, and almost without loss, what were considered by the Chinese as impregnable, and what, in the hands of almost any other nation, would have been nearly so. It is a great satisfaction to me to find Sir Gordon Bremer speak most favourably of the conduct of Major Pratt, of Her Majesty's 26th, and the troops employed on this occasion.

"4. Having communicated with the Plenipotentiary and the Commodore, I found it was proposed to continue the operations in advance the following day (the 3rd), by attacking the last defences on the Canton river, consisting of a square stone-built fort, mounting

thirty-two guns, in front of which the river was barricaded by a double row of strong piles, firmly driven in, with an intervening space of about thirty feet, which the Chinese had filled, by sinking junks, and placing masses of bamboos, together with timber of every description; 1,700 yards further up, the river divides itself into two branches, forming a low narrow island, which extends to within about a mile of Canton; at the lower point of this is Napier's fort, a regular half-moon enclosed work of stone-masonry, mounting thirty-six guns; at this point the river was again strongly barricaded connecting Napier's fort with two strong newly-constructed field-works thrown up on either bank of the river, by a planked platform placed over the barricade; these latter works showed embrasures of from forty to fifty guns each.

"5. On the morning of the 3rd, having made my arrangements with the Commodore for a conjoint attack on the enemy's works, I proceeded with him up the river in the *Nemesis* steamer; but a communication having been made that Yu, the Quang-chow-Foo, was approaching, bearing a flag of truce, the white flag was hoisted by Her Majesty's Plenipotentiary. Captain Belcher of the *Sulphur*, having reported that he could perceive no persons in Howqua Fort (the before-mentioned work flanking the nearest barricade), I proceeded in the *Calliope's* boat with the Commodore and Captain Herbert, when we found it had been abandoned. I had it immediately occupied by the detachments of Her Majesty's 26th and 49th Regiments under Major Pratt: at the same time I took possession of a joss-house at the opposite side of the river (here about 800 yards wide), where a five-gun mud field-work had been commenced, in which I placed Captain Ellis with his company of the Royal Marines.

"6. An armistice until noon of the day but one following having been agreed upon, I had an opportunity of reconnoitring the Chinese defences, accompanied by a party of the Royal Marines under Captain Ellis. In performing this duty I had to pass through a very large and populous village: the inhabitants appeared to view our approach towards Canton without the remotest ill-feeling, and I have no doubt would have shown me the road, could I have made myself understood.

"7. A further communication having been received from Canton, an extension of twenty-four hours was granted to the armistice, and at noon on the 6th, the time having expired, the troops were landed on the left bank of the river, consisting of the detachments of Her Majesty's 26th and 49th Regiments under Major Pratt, and the Royal Marines of the fleet under Captain Ellis, the light squadron and the flotilla getting under weigh at the same time. On the first vessel passing the barrier, the Chinese fired off their guns in the centre battery and retired; the guns in the two flank-works, it appears, had been previously withdrawn, and these defences were instantly occupied by the seamen of the fleet. Thus the last defences of one of the richest towns in China, with a population of upwards of 1,000,000 of inhabitants, were abandoned without a shot having been fired on our side, and Canton lay at British mercy,

and remains a memento of British forbearance.

" 8. Her Majesty's Plenipotentiary having forwarded me the accompanying letter (No. 1), the troops were re-embarked. On the receipt of the letter marked (No. 2), arrangements were made for the transports to fall down the river, and rendezvous here. All the forts have been destroyed by the indefatigable exertions of the seamen, the guns rendered unserviceable, and the barricades have been mostly removed, leaving open the free navigation of the river between Canton and Macao.

" 9. Major-General Burrell and the Staff arrived three days back, and all the force from Chusan, with the exception of the Bengal Volunteers, has reached this river. I am using every exertion for the military occupation of North Wangtong, and when completed, or in a forward state, the fleet will proceed to the island of Hong-Kong, which it is the intention of Her Majesty's Plenipotentiary to occupy.

" 10. I shall not fail, when the troops are assembled at Hong-Kong, to give my earnest attention to their location, so as to establish by every means within my power, their health, and fit them for their ulterior operations: no want of supplies need, I conceive, be apprehended; nor do I believe, from all I can learn, that any exertion on the part of the Chinese authorities can prevent their being procured.

" I have the honour to be, &c.,

" H. Gough.

" *Major-General Commanding the* " *Expeditionary Force.*"

Capture of Canton.

To the Right Hon. the Earl of Auckland, G.C.B., Governor-General, &c.

Head-quarters, Ship Marion, Canton River, proceeding to Hongkong, June 3.

My Lord,—My letter of the 18th from Hongkong will have made your Lordship aware of the temporary abandonment of the movement on Amoy, in order to resume active operations against Canton, consequent upon the constant arrival and concentration of a large force from the several provinces, and other demonstrations indicative of an interruption to our friendly intercourse with the provincial government.

2. From the judicious and unwearied exertions of Sir Le Fleming Senhouse, the senior naval officer, the fleet of men-of-war and transports was prepared to sail on the 18th, but in consequence of light and variable winds the whole did not get under weigh until the 19th. Her Majesty's ship *Blenheim* took up her position within six miles of Canton, in the Macao passage on the 21st ult., but the whole of the force was not assembled until the morning of the 23rd, when I proceeded with Sir Le Fleming Senhouse to the vicinity

of the suburbs of the city, for the double object of meeting her Majesty's Plenipotentiary and ascertaining, as far as possible, the extent of the enemy's preparations.

3. It being the anxious wish both of Sir Le Fleming Senhouse and myself to commence active operations on so auspicious an epoch as the anniversary of the birth of our Sovereign, every exertion was made, and the troops were placed by two P.M. on that day in various craft, procured during the previous day and night by the great exertions of the royal navy.

4. From all the sources from which I had been enabled to collect information, or rather from the conjectures of persons who have long resided in China (for no European had been permitted to see the country above the factories, and the Chinese would give no information), I was induced to decide on making my principal point of debarcation to the north-west of the city, while another column was to take possession of the factories, drawing the attention of the enemy to that quarter, and at the same time to co-operate with the naval force which was to attack the river defences, in order to silence new works recently erected by the Chinese along the whole southern face of the city. A most spirited and judicious reconnoissance made by Captain Belcher, of her Majesty's ship *Sulphur*, the previous evening, established the practicability of effecting a landing at the point I had selected.

5. Every arrangement having been completed by two o'clock, and the boats and other craft placed in tow of the steamers, the force moved to the point of attack as follows:—

Right column, to attack and hold the factories, in tow of the *Atalanta*, consisting of her Majesty's 26th regiment, 15 officers, 294 other ranks; an officer and 20 rank and file of the Madras artillery, with one 6-pounder and one 5½-inch mortar, and 30 sappers, with an officer of engineers, under Major Pratt, of her Majesty's 26th.

Left column, towed by the *Nemesis*, in four brigades, to move left in front.

4th (Left) Brigade, under Lieutenant-Colonel Morris, 49th regiment. — Her Majesty's 49th, commanded by Major Stephens, 28 officers, 273 other ranks; 37th Madras Native Infantry, Captain Duff, 11 officers, 219 other ranks; one company of Bengal Volunteers, Captain Mee, 1 officer, 114 other ranks.

3rd (Artillery) Brigade, under Captain Knowles, Royal Artillery. — Royal Artillery, Lieutenant Spencer, 2 officers, 33 other ranks; Madras artillery, including gun Lascars, Captain Anstruther, 10 officers, 231 other ranks; sappers and miners, Captain Cotton, 4 officers, 137 other ranks.

Ordnance — four 12-pounder howitzers, four 9-pounder field guns, two 6-pounder field guns, three 5½-inch mortars, 152 32-pounder rockets.

2nd Naval Brigade, under Captain Bourchier, her Majesty's ship *Blonde*—1st naval battalion, Captain Maitland, her Majesty's ship *Wellesley*, 11 officers, 172 other ranks; 2nd naval battalion, Commander Barlow, her Majesty's ship *Nimrod*, 16 officers, 231 other ranks.

1st (Right) Brigade (reserve), under Major-General Burrell.—Royal Marines, Captain Ellis, 9 officers, 372 other ranks; 18th

Royal Irish, Lieutenant-Colonel Adams, 25 officers, 495 other ranks.

6. The right column reached its point of attack before five P.M., and took possession of the factories, when Major Pratt made the necessary arrangements, strengthening his post, holding his men ready for offensive or defensive operations.

7. The left column, towed by the *Nemesis*, from the difficulties of the passage, with such a fleet of craft as she had in tow, did not reach the *Sulphur* until dusk, which vessel Captain Belcher had judiciously anchored close to the village of Tsing-hae, the point of debarcation, about five miles by the river line above the factories. I could therefore only land the 49th regiment, with which corps I made a reconnoissance to some distance, meeting a few straggling parties of the enemy. After placing the pickets, the corps fell back on the village of Tsing-hae to protect and cover the landing of the guns, which was effected during the night by the zealous efforts of the artillery. The following morning the remainder of the column landed, and the whole proceeded soon after daylight.

8. The heights to the north of Canton, crowned by four strong forts and the city walls, which run over the southern extremity of these heights, including one elevated point, appeared to be about three miles and a half distant; the intermediate ground undulating much, and intersected by hollows under wet paddy cultivation, enabled me to take up successive positions, until we approached within range of the forts on the heights and the northern face of the city walls. I had to wait here some time, placing the men under cover, to bring up the rocket battery and artillery.

9. I have already informed your Lordship that I was totally unacquainted with the country which I had to pass over, the amount of the enemy's force, or the difficulties that might present themselves at every step; but I had the proud consciousness of feeling that your Lordship had placed under me a band whom no disparity of numbers could dishearten, and no difficulty could check. They nobly realised, by their steadiness under fire, their disciplined advance, and their animated rush, my warmest approbation.

10. Having at eight o'clock got up the rocket battery, with two 5½-inch mortars, two 12-pounder howitzers, and two 9-pounder guns, a well-directed fire was kept up on the two western forts, which had much annoyed us by a heavy fire. I now made the disposition for attack *en echellon* of columns from the left, and directed the 49th regiment to carry a hill on the left of the nearest eastern fort, supported by the 37th Madras Native Infantry and Bengal Volunteers, under Lieutenant-Colonel Morris, of the 49th regiment. The 18th Royal Irish, supported by the Royal Marines, under Major-General Burrell, I directed to carry a hill to their front, which was strongly occupied, and flanked the approach to the fort just mentioned. This movement was to cut off the communication between the two eastern forts, and cover the advance of the 49th in their attack and storm of the nearest. Major-General Burrell had directions to push on and take the principal square fort when the 49th made their rush. Simultaneous with these attacks, the

brigade of seamen was to carry the two western forts, covered by a concentrated fire from the whole of the guns and rockets.

11. During the whole of the advance my right had been threatened by a large body of the enemy which debouched from the western suburbs, and, just as I was about to commence the attack a report was made that heavy columns were advancing on the right; I was, therefore, compelled to detach the Marines under Captain Ellis to support the brigade of seamen, and to cover my right and rear.

12. At about half-past nine o'clock the advance was sounded, and it has seldom fallen to my lot to witness a more soldierlike and steady advance or a more animated attack. Every individual, native as well as European, steadily and gallantly did his duty. The 18th and 49th were emulous which should first reach their appointed goals; but, under the impulse of this feeling, they did not lose sight of that discipline which could alone insure success. The advance of the 37th Madras Native Infantry and Bengal Volunteers, in support, was equally praiseworthy.

13. The result of this combined movement was, that the two forts were captured with comparatively small loss, and that, in little more than half-an-hour after the order to advance was given, the British troops looked down on Canton within a hundred paces of its walls.

14. The well-directed fire of the artillery in the centre was highly creditable, and did great execution.

15. In co-operation with these attacks, I witnessed with no ordinary gratification the noble rush of the brigade of seamen, under their gallant leader, Captain Bourchier, exposed to a heavy fire from the whole of the north-western rampart. This right attack was equally successful, and here also the British standard proudly waved on the two western forts, while the British tars looked down upon the north-western face of the city and its suburb.

16. During the greater part of the day a very spirited fire from heavy pieces of ordnance, gingals, and matchlocks, was kept up on the different columns occupying the heights and forts.

17. A strongly intrenched camp of considerable extent, occupied apparently by about 4,000 men, lay to the north-east of the city upon rising ground, separated by a tract of paddy land from the base of the heights. Frequent attacks were made upon my left by bodies sent from this encampment, but were as frequently repulsed by the 49th. This, however, exposed the men to a heavy fire from the walls of the city.

18. About two o'clock, perceiving that Mandarins of consequence were joining this force from the city, and had occupied a village in rear of my left, I directed the 49th to dislodge them. This was instantly effected in the same spirited manner that had marked every movement of this gallant corps. About three o'clock it was evident that some Mandarin of high rank had reached the encampment (I have since understood that it was Yang, the Tartar General,) and that preparations were making for a fresh attack. I ordered down the 18th, therefore, with one company of the Royal Marines to reinforce the 49th, and directed Major-General Burrell to ss u m the command, to repel the projected attack, and instantly to follow up

the enemy across a narrow causeway, the only approach, and take and destroy the encampment. This duty was well and gallantly performed, but I regret to say with rather severe loss, from the difficulty of approach, exposed to a heavy fire from the guns and gingals on the north-east face of the city wall. The enemy were driven at all points, and fled across the country; the encampment was burnt, the magazines, of which there were several, blown up, and the permanent buildings of considerable extent set on fire. I had as much pleasure in witnessing, as I have in recording, my approval of the spirited conduct of Captain Grattan, who commanded the two leading companies of the 18th across the causeway. These companies were closely followed by the 49th, the remainder of the 18th, and company of Royal Marines, who passed along a bank of the paddy fields to their left. The enemy not appearing inclined to move out of the town to support this point, I directed the force to return to the heights.

19. Having reconnoitred the walls and gates, I decided on taking the city by assault, or rather upon taking a strong fortified height of considerable extent within the city wall before the panic ceased, but the hill in our rear being peculiarly rugged, and its base difficult of approach on account of the narrowness of the path, between wet paddy fields, I had only been enabled to get up a very few of the lightest pieces of ordnance and a small portion of ammunition. I therefore deemed it right to await the arrival of this necessary arm to make the assault.

20. The following morning, the 26th at ten o'clock, a flag of truce was hoisted on the walls, when I deputed Mr. Thom (whom Captain Elliot had sent to me as interpreter) to ascertain the cause. A Mandarin stated that they wished for peace. I had it explained that, as General commanding the British, I would treat with none but the General commanding the Chinese troops, that we came before Canton much against the wishes of the British nation, but that repeated insults and breaches of faith had compelled us to make the present movement, and that I would cease from hostilities for two hours to enable their General to meet me and Sir Le Fleming Senhouse, who kindly accompanied me throughout the whole operation, and to whose judicious arrangements and unceasing exertions for the furtherance of the united services (and I am proud to say they are united in hand and heart) I cannot too strongly express my sense of obligation. I further explained that Captain Elliot, her Majesty's Plenipotentiary, was with the advanced squadron to the south of the city, and that if I did not receive a communication from him, or had not a satisfactory interview with the General, I should at the termination of the two hours order the white flag to be struck.

21. As the General did not make his appearance, although numerous messages were received between this time (about noon) and four P.M., I hauled down the white flag. The enemy, however, did not, which was rather convenient, as it enabled me to get up my guns and ammunition without exposing my men to fire.

22. During the night of the 26th everything was prepared on our side, with the exception of one

12-pounder howitzer, the carriage of which had been disabled. The guns, by the indefatigable exertions of the officers and men of the Royal Artillery and Madras Artillery and Sappers, were placed in position. All was ready, and the necessary orders were given for opening the batteries at seven o'clock on the morning of the 27th, and for the assault at eight, in four columns.

23. The right column, composed of the Royal Marines under Captain Ellis, had directions to pass through a deserted village to the right of the north gate, to blow the gate open with powder bags if possible, and if not, to escalade a circular work thrown up as a second defence to that gate.

24. The second column on the right consisting of the brigade of seamen, under Captain Bourchier, was directed to make the assault by escalade on the opposite side of the circular defence, where the wall appeared comparatively low, covered by a heavy fire of musketry from the hill within pistol-shot of the wall. This column would have been exposed only to the fire of a few flanking guns, which I calculated would have been kept under by the fire of the covering party.

25. The 18th Royal Irish, under Lieutenant-Colonel Adams, were ordered to advance from the rear of a hill close to the five-storied pagoda, and to escalade the walls behind this pagoda (which was not flanked, except by one gun,) although they were very high, from twenty-eight to thirty feet; but I hoped by the concentrated fire of the guns to have reduced an exceedingly high and apparently slight parapet. The escalade of this corps was to be covered by the Bengal Volunteers and a company of the 37th Madras Native Infantry.

26. The left assault was to be made by the 49th, under Lieutenant-Colonel Morris. This corps was directed to escalade by a bastion directly in front of, and commanded by, the principal fort in our possession, called by the Chinese Yung-Kang-Tai, the fire of musketry from which would have prevented the enemy from making use of their guns. To strengthen this attack, two companies of the 37th Madras Native Infantry were to occupy the heights and keep up a rapid fire upon the wall.

27. The ground was peculiarly favourable for these several attacks, and for the effective fire of the covering parties, without a chance of injuring the assailants. The heights which we occupied are from ninety to two hundred and fifty paces from the city wall, with a precipitous glen intervening. On making a lodgment on the walls, each column was to communicate with and support that on its inner flank, and, when united, to make a rush for the fortified hill within the walls, on which the artillery was directed to play from the moment the advance was sounded. I directed Captain Knowles to ascertain as far as practicable, by the fire of heavy rockets and shells, whether it was mined, which alone I apprehended, the Chinese usually forming their mines so as to make them liable to explosion by such means.

28. The flags of truce still appeared upon the walls at daylight on the 27th, and at a quarter-past six o'clock I was on the point of sending the interpreter to explain that I could not respect such a display, after my flag had been

taken down, and should at once resume hostilities. At this moment an officer of the Royal Navy, who had been travelling all night, having missed his way, handed me the accompanying letter from her Majesty's Plenipotentiary. Whatever might be my sentiments, my duty was to acquiesce; the attack, which was to have commenced in forty-five minutes, was countermanded, and the feelings of the Chinese were spared. Of the policy of the measure I do not consider myself a competent judge; but I say "feelings," as I would have been responsible that Canton should be equally spared, with the exception of its defences, and that not a soldier should have entered the town further than the fortified heights within its walls.

29. At ten o'clock, Yang, the Tatar General, requested a conference, when Sir Le Fleming Senhouse accompanied me, and a long and uninteresting parley ensued, in which I explained, that her Majesty's Plenipotentiary having resumed negotiations with the local authorities, I should await a further communication from him. At twelve, Captain Elliot arrived in camp, and all further active operations ceased.

30. The following day at twelve, in a conference with the Kwang-chow-Foo, under the walls, every arrangement was made for the evacuation of the city by as large a portion of the Tatar troops as could be got ready, and I permitted a Mandarin of rank to pass through my lines to procure quarters for them. I was now given to understand that the force amounted to 45,000 men from other provinces, exclusive of the troops belonging to the Quangtung province. At the request of Captain Elliot I acquiesced in the former passing out of the north-east gate to the left of my position, and permitted them to carry away their arms and baggage, on condition that no banner should be displayed or music sounded.

31. About twelve the following day I perceived numbers of men, apparently irregulars, and armed for the most part with long spears, shields and swords, collecting upon the heights, three or four miles in my rear. As they continued rapidly to increase detaching bodies to their front, I directed General Burrell to take charge of our position, and hold every man ready, in case a sortie or other act of treachery, under cover of a flag of truce, should be intended; and I advanced with a wing of the 25th (which corps I had withdrawn two days previously from the factories) companies of the 49th, the 37th Madras Native Infantry, and the company of Bengal Volunteers, supported by the Royal Marines. The two latter corps I kept in reserve, ready to return and act on the flank, should an attack be made on our position from the town. When I descended the heights, about 4,000 men appeared in my front. I directed the wing of the 26th under Major Pratt, supported by the 37th Madras Native Infantry, to advance and drive them from rather a strong position they had taken up behind an embankment along the bed of a stream. This duty the 26th and 37th performed most creditably; and, as the Chinese made a rally at what appeared to be a military post in my front, I directed that it should be destroyed, which was instantly effected by the 26th, and a magazine, unexpectedly found in the village was blown up. These duties

having been performed without the loss of a man, the Chinese throwing away their spears and flying the moment a fire was opened upon them, I directed the 49th, Royal Marines, and Bengal Volunteers to fall back on our position, and remain with the wing of the 26th and 37th Madras Native Infantry (about 280 men) to watch the movements of the Chinese who had retreated to a range of heights in my front, having no banners, and apparently but few matchlocks amongst them. Within two hours, however, from 7,000 to 8,000 men had collected and displayed numerous banners. When I first moved, I had ordered Captain Knowles, of the Royal Artillery, to bring out a few rockets, but our advance was so rapid that he did not get them up until after the repulse of the first body.

32. At this moment the heat of the sun was hardly supportable, and both officers and men were greatly exhausted. I must here state, and with sincere sorrow, that Major Becher, Deputy-Quartermaster-General, a most estimable and willing officer, whose services throughout the previous operations were as creditable to him as they were satisfactory to me, fell by my side from over exertion, and expired within a few minutes. My Aide-de-camp, Captain Gough, was also alarmingly unwell from the same cause, and I ordered him back to camp when the enemy were repulsed, but, hearing that the Chinese were again assembling, he returned, and, meeting the Bengal Volunteers, very judiciously brought them back.

33. The Chinese having advanced in great force, some rockets were fired at them, but, although thrown with great precision, appeared to have little effect, and, as the approach of a thunder storm was evident, I became anxious, before it broke, to disperse this assemblage, whose approach bespoke more determination than I had previously witnessed. I ordered Major Pratt to attack a large body who were advancing through the paddy fields on his left, and to clear the hills to his front. Captain Duff, with the 37th Madras Native Infantry, supported by the Bengal Volunteers, under Captain Mee, I ordered to advance direct to his front, and dislodge a body which had re-occupied the post that we had previously burnt, and then push forward and clear the hills to his front. I witnessed with much satisfaction the spirited manner in which these officers executed my orders, and the enemy were driven in at all points. The right of the 37th being threatened by a military post at the foot of the hills to our right, the Bengal Volunteers dispersed the occupants. This, however, separated them from the 37th Madras Native Infantry, and perceiving that this latter corps was advancing further than I intended, I requested Captain Ommanney, of the 3rd Madras Light Cavalry, who, with Lieutenant Mackenzie of her Majesty's 90th regiment, accompanied me as amateurs, and both were most zealous and useful in conveying my orders, to direct the Bengal Volunteers to move up to its support. Captain Duff, meanwhile, to open his communication with the 26th on his left, had detached a company under Lieutenant Hadfield for that purpose.

34. The thunder-storm was now most awful, and finding that as our men advanced the Chinese re-

tired, I considered that it would be injudicious to follow them further, and directed the whole to fall back. The rain continued to fall in torrents, and most of the firelocks had got wet; at one time the 26th had been unable to fire a single musket; this emboldened the Chinese, who, in many instances, attacked our men hand to hand, and the 26th had frequently to charge bodies that advanced close to them.

35. As the Chinese, even in this mode of warfare, could make no impression, they retreated, and the 26th and 37th Madras Native Infantry and Bengal Volunteers fell back. Understanding from Captain Duff that his detached company was with the 26th, I directed the whole, after a short halt, to return to our position, and was exceedingly annoyed, on the force concentrating, to find that the detached company under Lieutenant Hadfield had never joined the 26th. I immediately ordered two companies of Marines with the percussion locks to return with Captain Duff to the scene of this day's contest. It gives me no ordinary gratification to say that a little after dusk they found Lieutenant Hadfield with his gallant company in square surrounded by some thousand Chinese, who, as the 37th's firelocks would not go off, had approached close to them. The Sepoys, I am proud to say, in this critical situation, nobly upheld the high character of the native army, by unshrinking discipline and cheerful obedience, and I feel that the expression of my best thanks is due to Lieutenants Hadfield and Devereux, and Ensign Berkeley, who zealously supported him during this trying scene. The last named officer, I regret to say was severely wounded. The Marines with Captain Duff fired a couple of vollies into this crowd, which instantly dispersed them with great loss.

36. At daylight the next morning I felt myself called upon to send into the city and inform the Kwang-chow-Foo, that if, under existing circumstances, a similar insult was offered, or any demonstration made, indicative of hostile interruption to the negotiations pending under a flag of truce for the evacuation of the city by the Chinese troops, and a ransom for its deliverance, I would at once haul down the white flag and resume hostilities. At twelve Captain Elliot joined me, and a communication was received that the Kwang-chow-Foo would meet us under the walls. Previous to his arrival, vast numbers of Chinese appeared on the hills, from which we had driven them the night before, and which, during the early part of the morning, had been clear. Guns and gingals were fired in all directions, various banners displayed, and large parties thrown out in advance. About 7,500 Tatar troops had marched out of the city that morning, and were still moving, with their arms, but, as stipulated, without music or banners. I felt some doubt whether treachery was not contemplated, and I therefore made such a disposition of our troops as to insure its defeat. By two o'clock from 12,000 to 15,000 men, evidently the same description of force that we had met the preceding day, had assembled on the same heights.

37. The Kwang-chow-Foo now arrived, and it became evident, as he was perfectly in my power, that no combination existed be-

tween the troops in the town or those marching out and the assemblage in my rear; I therefore ordered the wing of the 26th (the other wing had been left at Tsing-hae) to keep up the communication with the rear, and a wing of the 49th with the 37th Madras Native Infantry and the Royal Marines to be prepared to disperse the assailants. On joining the Kwang-chow-Foo, and explaining my determination to put my threat in force if the enemy advanced, he assured me that this hostile movement was without the knowledge and against the wishes of the Chinese authorities; that there were no Mandarins with this militia in our rear; that it had assembled to protect the villages in the plain, and that he would instantly send off a Mandarin of rank (his own assistant) with orders for its immediate dispersion, if I would depute an officer to accompany him.

38. Captain Moore, of the 34th Bengal Native Infantry, Deputy Judge-Advocate-General volunteered this hazardous duty. That officer had accompanied me as one of my personal staff throughout all the operations, and he and Major Wilson, Paymaster to the expedition, who kindly volunteered to act in the same capacity, had by their zealous service been most useful to me in a country where all my orders were to be conveyed by officers on foot through an intricate line of communication. Captain Moore was quite successful, as the whole body instantly retreated and entirely dispersed, as soon as he and the Mandarin had made known to the leaders the object of their coming.

39. Finding that 5,000,000 dollars had been paid, and that her Majesty's Plenipotentiary was perfectly satisfied with the security for payment of the remaining 1,000,000 for the ransom of Canton; that upwards of 14,500 Tatar troops had marched out of the town under the terms of the treaty without colours or banners flying, or music beating; that 3,000 had gone by water, and that the remainder were prepared to follow when carriage was provided, I acceded to the wish of her Majesty's Plenipotentiary to embark the troops, the Chinese furnishing me with 800 Coolies to convey my guns and ammunition. These Coolies being furnished soon after daylight on the 1st inst., I sent all the guns and stores to the rear, covered by the 26th, Royal Marines, 37th Madras Native Infantry, and Bengal Volunteers, and at twelve o'clock the British flag was lowered in the four forts, and the troops and brigade of seamen marched out and returned to Tsing-hae.

40. By the excellent arrangements and under the active superintendence of Captain Bourchier, of her Majesty's ship *Blonde*, and Captain Maitland, of her Majesty's ship *Wellesley*, the whole were re-embarked by three o'clock, without leaving a man of the army or navy or a camp follower behind, and, under tow of the *Nemesis*, reached their respective transports that night.

41. I have now, my Lord, detailed, I fear at too great length, the occurrences of eight days before Canton. I might have been very brief, perfect success attending every operation, but by a mere statement of leading facts I should not have done justice to the discipline of the small but gallant band whom it was my good fortune to

command, and whose devotedness was worthy of a better foe.

42. I have not touched upon the brilliant conduct of the Royal navy in their attacks and various operations to the south of the city, as these will be detailed by their own chief, to whom, as I have said, I cannot too strongly express my obligations.

43. In a body, where all have done their duty nobly and zealously, it would be invidious to particularize: I will, however, entreat your Lordship's favourable notice of commanding officers of brigades and corps, from whom I have received the most able assistance, and to whom my best thanks are due;—to Major-General Burrell, commanding the right brigade, who was zealously supported by Lieutenant-Colonel Adams, commanding the 18th Royal Irish, and Captain Ellis, commanding the marine battalion; to Captain Bourchier, of her Majesty's ship *Blonde*, commanding the brigade of seamen, supported most ably by Captain Maitland, of her Majesty's ship *Wellesley*, and Captain Barlow, of her Majesty's ship *Nimrod*; to Lieutenant-Colonel Morris, commanding the left brigade, whose good fortune it was first to carry the heights and place the colours of the 49th in the first fort taken, gallantly seconded by Major Stephens, who commanded the 49th in the first operation, and Major Blyth, who commanded that corps during the latter part of the day; to Captain Duff, commanding the 37th Madras Native Infantry; and Captain Mee, commanding the Bengal Volunteers; to Major Pratt, commanding her Majesty's 26th regiment. This corps, though not at first much engaged from the nature of its position at the factories, proved on the 30th, by its spirited and steady conduct, which nothing could exceed, how valuable its services would have been throughout.

To Captain Knowles, of the Royal Artillery, senior officer of that arm, my best thanks are due for his valuable services. Lieutenant the Hon. R. C. Spenser, with the detachment of Royal Artillery, well supported the high character of that distinguished corps. The zeal of Captain Anstruther, commanding the Madras Artillery, was indefatigable, as were the efforts of every individual of that valuable body in bringing up the guns and ammunition.

To Captain Cotton, Field Engineer, I feel under the greatest obligations, and I experienced the most ready support from every officer under him. Of one of them, Lieutenant Rundall, I regret to say, that I shall probably lose the services for some time, in consequence of a severe wound. The useful labours of the Sappers called for my best thanks; they were cheerfully prepared to place ladders for the escalade.

I feel greatly obliged to all the General Staff — all accompanied me on shore, and to their indefatigable attention in conveying orders on foot, at times to considerable distances, I was indebted. To Lieutenant-Colonel Mountain, Deputy-Adjutant-General, my best thanks are due for his unwearied exertions and valuable services, not only upon the present, but upon every occasion. The exertions of Major Hawkins, Deputy-Commissary-General, were unceasing; and by his judicious arrangement (and those of his assistants) the troops were amply supplied. The excellent arrangements made by Dr.

Grant, the officiating Superintending Surgeon, and Medical Staff of Corps, call also for my acknowledgment. I beg to bring to your Lordship's particular notice my Aide-de-camp, Captain Gough, of the 3rd Light Dragoons, from whom I have upon this, as upon every occasion, received the most active and unremitting assistance.

44. Having now conveyed my approval of the conduct of the commanding officers of brigades and corps, and the heads of departments, permit me to draw your Lordship's special attention to the praiseworthy conduct of the sailors and soldiers under my command, which in my mind does them the highest credit. During the eight days this force was on shore, and many of the corps were unavoidably placed in situations where sham-shu was abundant, but two instances of drunkenness occurred; and I deem it but justice here to mention a strong fact. The soldiers of the 49th, finding a quantity of sham-shu in the village they had so gallantly taken, without order or previous knowledge of their officers, brought the jars containing this pernicious liquor, and broke them in front of their corps, without the occurrence of a single case of intoxication.

45. This despatch will be presented by Captain Grattan, whose conduct I have already mentioned to your Lordship, and whom I have selected for this duty alone on account of his conduct. He is a most intelligent officer, and will be able to give your Lordship any further information.

I have the honour to be, &c.

H. Gough,

Major-General,
Commanding Expeditionary Force.

P.S. It is with deep regret that I have to mention the loss of Lieutenant Fox, of Her Majesty's ship *Nimrod,* a most promising young officer, attached to Captain Barlow's battalion of seamen, who fell at the storm of the western forts; Mr. Walter Kendall, mate of the same ship, a very deserving officer, lost his leg, I am sorry to add, at the same time.

I have the honour to forward a return of the killed and wounded, and a list of ordnance captured. Of the killed and wounded on the enemy's side it is difficult to form a correct estimate; but the Kwang-chow-Foo acknowledged to me that of the Tatar troops 500 had been killed, and 1,500 wounded, on the 25th of May; and I conceive that the killed and wounded on the Chinese side upon the 30th, and in the different attacks made upon my flanks and line of communication, must have been double that number.

Return of Killed and Wounded in Her Majesty's Forces at the Attack on Canton, from the 23rd to the 30th of May, 1841.

	Killed.		Wounded.
May 25.	9	...	68
May 30.	5	...	23
Total ...	14		91

Return of the Ordnance mounted in the Fort on the Heights above Canton.

Names of the Forts.	Guns of all Calibre.
Yung-Kang-Tai . .	13
She-Ting-Paon . .	6
Paon-Keih-Tai . .	11
Kong-Keih-Tai . .	19
Grand Total . .	49

Remarks.—In each fort a number of gingals and a considerable quantity of powder found.

EXTRACTS FROM A DESPATCH FROM CAPTAIN SIR H. LE FLEMING SENHOUSE, K.C.H., &c., TO COMMODORE SIR J. J. GORDON BREMER, C.B. AND K.C.H., COMMANDER-IN-CHIEF, &c., DATED, HEIGHTS ABOVE CANTON, MAY 29TH, 1841, CONTINUED ON BOARD HER MAJESTY'S SHIP BLENHEIM, FRENCH RIVER, JUNE 2, 1841.

I closed my former letter with the details of our proceedings up to the moment the expedition was about to leave Hongkong for Canton. I have now the gratification to enter upon the details of a succession of operations, highly honourable, I trust, to her Majesty's arms, and by which the large and populous city of Canton has been laid in complete submission at the feet of the Queen's forces.

No overt act of hostility had taken place up to the 21st of May, except remounting the guns in the Shamien battery, but the Chinese appear to have been perfectly ready for attack. All remained quiet in the river until about eleven o'clock P.M., when an attempt was made with fire rafts to burn the advanced vessels. This attack not only totally failed, but was followed up by a gallant attack on the Shamien battery, and the silencing of it by the vessels of the squadron, under the immediate superintendence of Captain Herbert of the *Calliope*, and the destruction of a large flotilla of fire-vessels, which the Chinese had been preparing, and had brought out of the branch of the river which leads north of the town. About the same time, though later in the night, the *Alligator* was attacked off Howqua's Fort; and to show how necessary it was to have been always on our guard, the fire-junks came up with the flood-tide in a direction with the merchant-vessels at Whampoa, where all seemed to sleep in security.

No. 1. Captain Kuper's account of his prompt and decisive conduct in repelling the attack I have also the honour to forward.

Opinions were uncertain as to the feasibility of entering the northward branch of the river, and at floating at low water. To determine this I availed myself once more of the zeal and great ability of Commander Belcher, who most handsomely volunteered to explore it with his own boats, assisted with three others from the *Pylades*, and *Modeste*, and *Algerine*, all placed under the command of that gallant and judicious officer Lieutenant Goldsmith of the *Druid*, who was attached to the *Blenheim*, in that ship's launch, and who had orders to protect Commander Belcher in his surveying operations.

The Major-General and myself went to Canton to make a *reconnoissance* and a personal inspection on the same day, the 23rd. In our progress we observed a firing and explosions in the direction of Captain Belcher's party; and Commander Belcher's letter, a copy of which I enclose (No. 2), gives the detail of a gallant and spirited affair which took place in the creek. At eleven o'clock, Commander Belcher returned with the gratifying intelligence that he had discovered an excellent landing-place on a pier, with water enough

for the *Sulphur* close to it at low water. The ground directly around it rose in low hills, and a line of hills appeared to continue to the height near the city, although there might be swampy ground in the small valleys dividing them.

Our united force consisted of the following ships and vessels:—

Forming the Macao Port Division:—*Blenheim, Blonde, Sulphur, Hyacinth, Nimrod, Modeste, Pylades, Cruiser, Columbine, Algerine, Starling, Atalanta,* steamer, *Nemesis,* steamer.

Forming the Whampoa Division:—*Calliope, Conway, Herald, Alligator.*

At Quangtong, in the Bocca Tigris:—*Wellesley,* sent up her marines and 100 seamen.

The above ships and vessels comprised in their crews, officers, seamen and marines, inclusive, about 3,200 men, out of which about 1,000 officers, seamen, and marines, were landed to serve with the army. The military force under that gallant distinguished, and experienced officer, Major-General Sir Hugh Gough, comprised her Majesty's 49th regiment, 311 in number; 37th Madras Native Infantry, 240; Bengal Volunteers, 79; the Royal Artillery, 38; Madras Artillery, 232; Sappers and Miners, 171; her Majesty's 18th Royal Irish, 535; and her Majesty's 26th Cameronians, 317; making about 2,223.

Captain Herbert was stationed at Whampoa with the *Calliope, Conway, Herald,* and *Alligator,* and was directed on the 24th to take the command of the force afforded by the four vessels under his orders, and, pushing up with the flood-tide with such vessels as could proceed, or with the boats of the ships, endeavour to take possession of and secure the arsenal. I informed him that the ships near the Factory would drop down and secure the Dutch fort, and to keep up an enfilading fire on the face of the works thrown up in front of the city, where I understood many guns were mounted. I left it to his own judgment to act according to circumstances, in endeavouring to drive the enemy from the French fort, and to endeavour to open the communications with the ships of war to the westward, and with the commanding officer of the left column stationed at the factories. I beg to enclose a letter (No. 3) I have received from Captain Herbert, detailing the part he took in the affair that followed, where the usual gallantry and zeal were displayed by her Majesty's seamen and Royal Marines. Commander Warren, with his gig's crew, placing his colours first on the walls of the French fort; Commander Warren was also ordered, with the ships under his command, to take up his anchorage in line along the town from the Western fort as far as the factory, and to cannonade the exterior to prevent the enemy from firing on the right column as it passed. After the enemy's fire had been silenced, he was to leave the *Nimrod* and another vessel to keep the enemy in check at that quarter, and to detach the rest of his force to secure the Dutch fort, and to place them with the *Atalanta,* so as to enfilade the line of batteries in front of the city, but he was not to expose his ships to the front fire of the heavy guns, said to be placed there, until the enemy were shaken in their position.

The landing of the left column was placed under his particular

charge, and it was not to land until he had made the signal.

So effectually and vigorously did Commander Warren execute these instructions, that when the right column passed his station, everything had been completed and all was still. The detail of this gallant affair is annexed in a copy of his letter (No. 4), where I regret to observe the loss of men was more than had been ordinary.

No. 5. A return of the killed and wounded is here added, and, although it may appear strange to see the wounded of the army in a naval report, yet the two corps had been so entirely mingled together, their services so blended, and such intimate harmony has existed, that it would be difficult to make any separation between the acts of either or the circumstances that concerned them. The two officers who had fallen, Major Becher of the Indian army, Deputy-Quartermaster-General, a very old officer who had served ably in the Burmese war, and Lieutenant Fox, first of the *Nimrod*, have united the regret of all by their characters and services. The same shot took off the legs of Lieutenant Fox and of Mr. Kendal, his shipmate, the gunnery-mate of the *Nimrod*. The former fell a victim to his wound; the latter has survived amputation. I thought it would gratify Mr. Kendal to give him an acting commission as Lieutenant of the *Nimrod* in Lieutenant Fox's vacancy, on the field of battle, until your pleasure is known, though his wound will disable him from doing his duty perhaps for some time, and may oblige him to go home.

I have the honour to enclose lists of the officers who have been personally engaged in the operations on shore and afloat in boats, but it must be remembered that the duties and the fatigues of Commander Pritchard, of the *Blenheim*, and of those who remained on board their respective ships, were increased in the same ratio as their numbers were diminished, and that the ultimate success is the attainment of the whole body, each working in his particular sphere. The names of many will be seen who have already distinguished themselves at Chuenpee, Anunghoy, Quangtong, and the many affairs in the Canton river, and no doubt have already, like their brother officers at Acre, been so fortunate as to secure their country's notice. Never was there a finer set of zealous, able commanders. Commanders Belcher and Warren have only continued in that path of able and judicious service on which they have so long travelled—their own services will always attract attention. Of the Lieutenants, Lieutenant J. Pearce, Lieutenant Goldsmith, Lieutenant Watson, Sir F. Nicholson, Lieutenant Morshead, first of their respective vessels, may perhaps be named without injury to all others, who well played their parts; to Lieutenant Kellett, of the *Starling*, I am much obliged; and Lieutenant Mason, of the *Algerine*, has won his promotion by a long series of gallant and brave services. I beg to acknowledge the zeal and assistance I have had from every captain and officer of the squadron whom I have had the happiness to command.

(No. 1.)

To Captain T. Herbert Commanding the Advanced Squadron.

Her Majesty's Ship Alligator, off Howqua's Folly, May 22.

Sir,—I have the honour to acquaint you, that last night, shortly after twelve o'clock, an attack was made by the Chinese upon her Majesty's ship *Alligator*, under my command, by fire-rafts.

They were chained in pairs, and brought down in a direct line for the ships on a flood-tide; owing to the confined position I was in, and the sunken junks and line of stakes astern, I could not ship; but by steering the ship, and the activity of Lieutenant Stewart, first of this ship, and Messrs. Woolcombe and Baker, mates, in command of the boats, they were towed clear, although they passed within ten yards of the bows: as I had reason to believe that a considerable force was assembled in the vicinity, to take advantage of any accident that might occur, I fired several shots on both sides to clear the banks. No damage has been sustained.

I have the honour to be, &c.,
Augustus L. Kuper,
Acting Captain.

(No. 2.)

Captain Sir H. Le Fleming Senhouse, Knt., K.C.H., Senior Officer, &c.

Off Canton, May 23rd.

Sir,—In pursuance of your directions, I proceeded up the creek on the western side of the Canton river, in order to examine the nature of the country, our force consisting of the *Druid's* launch, Lieutenant Goldsmith (first Lieutenant of the ship) *Sulphur's* pinnace, and two cutters, *Modeste*, *Pylades*, and *Algerine's* cutters, *Starling's* cutter, and my gig, the two first-named boats carrying guns.

On approaching Noishang, where the boats of the squadron were yesterday engaged, I observed the "fast boats" of the enemy collected in great numbers; part retreated by a creek to the left, but shortly after returned and manifested a disposition to impede our progress, by firing guns and drawing up across the creek. Our advance and notice of our determination by a round from each of the boats carrying guns, put them to flight, and in a very short period thirteen fast boats, five war-junks, and small craft collected, amounted to twenty-eight in all, were in flames. Fire-rafts were in readiness on the banks of the creek, but too well secured by chains, and therefore beyond our ability to destroy during our short stay.

The whole force behaved with their usual gallantry, and the commander of the division under my direction (Lieutenant Goldsmith) afforded me that steady determined support, which so particularly distinguishes him, and which caused me to ask you for his co-operation.

The enemy being posted in force on a hill above us, prevented me,

in obedience to your orders, from exposing my small party by an attempt to dislodge them. But I fully succeeded in effecting my reconnoitre by being hoisted to the mast-head of the largest junk, whence I was able to survey the whole surrounding country.

From that examination I am happy to acquaint you that landing on solid ground is perfectly practicable; that the advance to the batteries situated on the hills north of Canton is apparently easy, and I have every reason to believe that our artillery will not meet with any extraordinary difficulty.

On my return I landed at the Mandarin temple at Tsing-poo, where I found sand-bags and five small guns, which were spiked and thrown into the sea. This temple, with other large commodious buildings, will afford ample quarters for the troops which may first be landed.

No casualties whatever occurred. I brought out with me one large fast boat of sixty oars, the boat from which the Mandarin escaped; and in pursuance of your separate orders collected vessels for the conveyance of 2,000 soldiers.

I have the honour to enclose a list of boats and officers engaged, and am, Sir,

Your most obedient servant,

E. Belcher,

Commander.

(No. 3.)

To Captain Sir H. Le Fleming Senhouse, Knt. K.C.H., &c., Canton River.

Her Majesty's Sloop Modeste, off Canton, May 26th, 1841.

Sir,—I received your orders of the 24th instant a little before noon on that day, and immediately proceeded with the boats and marines of the *Calliope* and *Conway* to the *Alligator*, off Howqua's fort, making the signal to the *Herald* to close and send her boats.

I ordered Captain Kuper to move the *Alligator* up to the right bank of the river, past Napier's fort, where he anchored her in her own draught, and the boats were pushed up as far as possible without exposing them to the enemy's fire. A little before sunset I observed the *Algerine* moving down past the Dutch fort, and she shortly anchored and engaged a battery on the Canton side, which she silenced. Anxious to co-operate with her, I went ahead with Captain Bethune to reconnoitre, but was stopped by a shot through my boat from the French fort.

I remained under cover of the point until dark, when I sent Captain Bethune with a division of boats to support her, and a concerted signal having been made, I joined her with the whole force at two A.M.

The arsenal being secured, I reconnoitred the line of defence, and perceived that it could not be attacked with advantage without having heavier guns in position than those of the *Algerine*. I therefore lost no time in ordering the other sloops down, and at the same time put myself in communication with Major Pratt, commanding her Majesty's 26th, in the factory.

Finding that the *Modeste* was

the only vessel likely to be got across the bar, and there appearing even some doubt of her accomplishing the passage, I fitted shell guns in three of the captured war-junks.

Captain Eyres having succeeded by great exertion in getting his vessel over the bar, I this morning moved her, the *Algerine*, and the gun-junks on the French fort; the enemy deserted the upper defence, and about nine A.M. opened the fire from the fort, which was speedily silenced; I then cleared the beach by a few well-directed broadsides, and made the signal to advance. Captain Bethune immediately landed on shore with the storming party, and the fort was carried in the most gallant style; the whole line of defence, extending about two miles from the factory, which, with the exception of the French fort, had been lately constructed in the strongest manner, has been destroyed, and communication is opened with the ships at Napier's fort. The guns destroyed are sixty-four in number, including four 10½ inch calibre; the Dutch fort was not armed.

To that excellent and able officer, Captain Bethune, I feel particularly indebted, and my best thanks are also due to Commanders Warren and Gifford, who assisted in the attack. This is the sixth time I have had occasion to mention the gallant conduct of Commander Eyres. Lieutenant Mason, commanding the *Algerine*, acquitted himself entirely to my satisfaction, and both Captain Eyres, and himself speak in the highest terms of the assistance they received from Lieutenant Shute, and Mr. Dolling, mate, their seconds in command, and all the other officers and men.

Lieutenants Haskell and Hay, senior of the *Cruiser* and *Pylades*, directed the guns in the junk with the greatest ability. Captain Bethune speaks in the highest terms of Lieutenants Watson, Beadon, Coryton, Collinson, Morshead, Hayes, Hamilton, and Mr. Brown, master, as also Lieutenant Hayes of the Bombay marine, and of all the other officers and men employed more immediately under his orders, a list of whom is annexed. The party of Marines was commanded by Lieutenant Urquhart, assisted by Lieutenant Marriott. Lieutenant Somerville, Agent of Transports, aided by some boats of the transports, Lieutenant Gabbot, of the Madras Artillery, threw shells with great effect from one of the junks, and Major Pratt offered in the handsomest manner to co-operate in the attack, if required.

I enclose a list of vessels captured, afloat, and building.

I have the honour, &c.,

T. HERBERT,

Captain of Her Majesty's Ship Calliope, and Senior Officer present.

Return of War Junks and Row Boats, &c., found in the Chinese Naval Arsenal, on the 27th of May, 1841.

Twelve war-junks building, twenty-four row-boats, and twelve war-junks, lying at anchor off the arsenal.

A large quantity of timber, gun-carriages, and various stores.

(No. 4.)

To Captain Sir H. L. F. Senhouse, Knt., K.C.H., &c., Senior Officer in the China Seas.

Her Majesty's Sloop Hyacinth, Off Canton, May 26th.

Sir,—I have the honour to acquaint you, that immediately on the receipt of your letter of the 24th instant, I weighed with the advanced squadron, and ordered her Majesty's sloop *Nimrod* to attack the Samien fort, on the west end of the suburbs, supported by her Majesty's sloop under my command being placed abreast of the English factory, to silence and dislodge any troops that might be there, and also with a view of covering the landing of her Majesty's 26th regiment, her Majesty's sloops *Modeste, Cruiser* and *Columbine*, taking up a position to attack the Dutch Folly fort, and to enfilade the line of batteries lately thrown up in front of the city to the eastward of that fort. On the ships taking up their position, three fire-vessels were sent adrift, and, although the tide was running very strongly, by timely despatch of boats they were enabled to clear the ships and tow three on shore, and set fire to the suburbs.

In the performance of this service they opened their fire on the boats and shipping. In half-an-hour the enemy were completely silenced to the eastward of the Dutch Folly fort. After reconnoitring the factory and finding it quite deserted, I immediately ordered the preconcerted signal for her Majesty's brig *Algerine* and *Atalanta* steamer to approach, with her Majesty's 26th regiment, when they landed and took possession of the factory without the slightest casualty. This service being completed, I ordered Lieutenant Mason, commanding her Majesty's brig *Algerine*, to proceed to attack a fort to the eastward, which I feel much pleasure in reporting to you was done in a particularly spirited and gallant style by that officer; but, perceiving the firing to be so heavy from the forts, I ordered the boats of her Majesty's ships to her support. Her Majesty's sloop *Hyacinth's*, under Lieutenant Stewart, and Mr. P. Barclay, mate; *Modeste's*, Mr. Fitzgerald, mate; *Cruiser's*, Lieutenant Haskell, and Mr. T. J. Drake, mate; *Pylades'*, Lieutenant Hay; and *Columbine's* Lieutenant Hamilton and Helpman, and Mr. Miller, mate. It is gratifying to me to inform you, by half-past seven the fort of eleven guns was silenced and the guns spiked, under a heavy fire of gingals and musketry from houses; at the same time I regret to add, it was not done without considerable loss. It would be impossible to particularize upon an occasion where every officer and man was engaged against an enemy defending themselves with much vigour at all points, but in addition to my best thanks and acknowledgments to Commanders Barlow, Eyres, Gifford, Anson, and Clarke, and Lieutenant Mason, I hope you will give me leave to recommend to your particular notice my own first Lieutenant, W. H. Morshead, who was wounded in the hand in a personal engagement with a Mandarin. Lieutenant Mason of the *Algerine*, speaks in the highest

terms of the conduct of Mr. Dolling, mate, and Mr. Higgs, second master of that vessel. I cannot conclude without expressing my approbation of the steadiness of Commander Rogers, of the Indian Navy, in conducting the *Atalanta* to her station.

I have the honour to be, &c.,
W. WARREN,
Commander.

No. 5.

General Return of Killed and Wounded in Her Majesty's Forces at the attack on Canton, from the 23rd to the 30th of May, 1841.

Blenheim, killed 2, wounded 9; 1 officer, 1 Royal Artillery, 1 acting corporal, Royal Marines, and 8 seamen.—*Wellesley*, w. 6; 3 seamen and 3 Royal Marines.—*Blonde*, k. 1, w. 1; 1 seaman and 1 Royal Marine.—*Calliope*, w. 1; 1 seaman.—*Hyacinthe*, w. 5; 2 officers and 3 seamen.—*Nimrod*, k. 2. w. 4; 2 officers and 4 seamen.—*Modeste*, k. 1, w. 9; 2 officers and 8 seamen.—*Columbine*, w. 2; 2 seamen.—*Algerine*, w. 4; 1 officer, 2 seamen, and 1 Royal Marine.—*Nemesis*, w. 1; 1 officer.—Madras Artillery, w. 1.—Sappers and Miners, w. 1.—18th Royal Irish, k. 2, w. 19.—26th Cameronians, k. 3, w. 15.—49th Regiment, k. 1, w. 17.—37th Native Infantry, k. 1, w. 13.—Bengal Volunteers, w. 1.—Camp followers, k. 1, w. 3.—Staff, k. 1.—Total, k. 15, w. 112.

To his Excellency Major-General Sir Hugh Gough, K.C.B., and Captain Sir H. Le Fleming Senhouse, K.C.H., &c.

Her Majesty's Ship Hyacinth, off Canton, May, 26th, 10 P.M.

Gentlemen,—I have the honour to acquaint you that I am in communication with the officers of the Chinese Government, concerning the settlement of difficulties in this province upon the following conditions:—

1. The Imperial Commissioner and all the troops, other than those of the province, to quit the city within six days, and remove to a distance exceeding sixty miles.

2. 6,000,000 dollars to be paid in one week, for the use of the Crown of England; 1,000,000 dollars payable before to-morrow at sunset.

3. British troops to remain in their actual positions till the whole sum be paid. No additional preparations on either side; but all British troops and ships of war to return without the Bocca Tigris as soon as the whole be paid. Quangtong also to be evacuated, but not to be rearmed by the Chinese Government till all the difficulties are adjusted between the two Governments.

4. The loss occasioned by the burning of the Spanish brig *Bilbaino*, and all losses occasioned by the destruction of the factories, to be paid within one week.

For the purpose of completing this arrangement, I have to request that you will be pleased to suspend hostilities till noon.

I have the honour to remain, &c.,
CHARLES ELLIOT,
Her Majesty's Plenipotentiary.

To his Excellency Major-General Sir H. Gough, K.C.B., and Captain Sir H. L. F. Senhouse, Knt., K.C.H., &c.

Her Majesty's ship Hyacinth, off Canton, May 27th, 1841, 3 P.M.

Gentlemen,—Herewith I have the honour to transmit to you an English version of the arrangement this day concluded with the officers of the Chinese Government, and also of the full authority given to the Kwang-chow-Foo to act for their Excellencies.

I shall take an early opportunity of communicating with you again upon this subject.

I have the honour to be, &c.,
Charles Elliot,
Her Majesty's Plenipotentiary.

Terms of Agreement granted to the Officers of the Chinese Government resident within the City of Canton on the 27th of May, 1841.

1. It is required that the three Imperial Commissioners, and all the troops, other than those of the province, quit the city within six days, and proceed to a distance of upwards of sixty miles.

2. 6,000,000 dollars to be paid in one week for the use of the Crown of England, counting from the 27th of May; 1,000,000 dollars payable before sunset of the said 27th day of May.

3. For the present, the British troops to remain in their actual positions; no additional preparations for hostilities to be made on either side. If the whole sum agreed upon be not paid within seven days, it shall be increased to 7,000,000 dollars; if not within fourteen days, to 8,000,000 dollars; if not within twenty days, to 9,000,000 dollars. When the whole shall be paid, all the British forces to return without the Bocca Tigris; and Quangtong and all fortified places within the river to be restored, but not to be re-armed till all affairs are settled between the two nations.

4. Losses occasioned by the plunder of the factories, and by the destruction of the Spanish brig Bilbaino. in 1839, to be paid within one week.

5. It is required that the Kwang-chow-Foo shall produce full powers to conclude this arrangement on the part of the three Commissioners, the General of the Tatar garrison, the Governor-General, and the Fooyuen of Kwangtong.

(Seal of the Kwang-chow-Foo.)

Written the 26th, agreed to the 27th of May, 1841.

(True copy) J. R. Morrison,
Acting Secretary and Treasurer.

Yishan, Generalissimo.—Lungwan and Yang Frang, joint Commissioners; Atsinga, General of the garrison; Kekung, Governor of the two Kwangs; and Eliang, Lieutenant-Governor of Quangtong, hereby issue instructions to the Kwang-chow-Foo.

The Plenipotentiary of the English nation being now willing to observe a truce, and make arrangements for peace, the said Kwang-chow-Foo will conduct the details of the pacific arrangement and settlement. He is not, upon any plea, to excuse himself. These are his instructions.

The foregoing to the Kwang-chow-Foo, thus be it.

Taoukwang, 21st year, 4th month, 7th day. (May 27th, 1841.)

[Signed and sealed by the Generalissimo, the Governor of the two Kwangs, the Joint Commissioners, and the Fooyuen of Kwangtong.]

Public Notice to Her Majesty's Subjects.

Macao, June 10th, 1841.

Her Majesty's Plenipotentiary thinks it necessary to warn all Her Majesty's subjects that he considers the entrance of British shipping within the river under present circumstances imprudent and unsafe, and recommends that they should forthwith proceed to Hongkong.

He has further to declare that any attempt of the Chinese authorities to interfere with or obstruct the freedom of trade and intercourse with Hongkong will be answered with a close blockade of the port of Canton.

Charles Elliot.

A Proclamation.

It is hereby declared to the merchants and traders of Canton and all parts of the empire, that they and their ships have free permission to resort to and trade at the port of Hongkong, where they will receive full protection from the high officers of the British nation; and Hongkong being of the Chinese empire, neither will there be any charges on imports and exports payable to the British Government.

And it is further clearly declared, that there will be an immediate embargo upon the port of Canton, and the large ports of the empire, if there be the least obstruction to the freedom of Hongkong.

Persons bringing information to the British officers which shall lead to the detection of pirates, will be liberally rewarded; and the pirate will be taken and delivered over to the officers of the Chinese Government for punishment.

At Macao,
this 7th day of June, 1841.

CHINESE DOCUMENTS.

There seems no sufficient reason to doubt that the subjoined documents are genuine, whatever may be their deficiency as translations —they are both curious and instructive: curious, as showing something of the internal political arrangements of China, of the emperor with his mandarins, and of the mandarins with the people; and instructive as showing in what light our proceedings are viewed by the Chinese nation, and what effects have been produced by our military operations. These documents are translated for the most part for the Canton and Indian journals, but some of them by Mr. Thom, the interpreter to the British authorities, and this is a sufficient voucher both for the authenticity of the documents and the fidelity of the translation of the latter.

Memorial from Keshen to the Emperor, and the Imperial Reply.

The slave Keshen, a high Minister of state, and acting governor of the two Kwang provinces, kneeling, presents before the throne of the Great Emperor a statement relating how that the English foreigners have sent a messenger to Chékeang to restore Tinghae, how that they have already restored us the forts of Shakow (Chuenpee) and Takok, and the cruising vessels and salt junks which they had previously captured, all of which have been duly received, and now that the ships of war of the said foreigners have already retired to the outer ocean; the said slave respectfully takes all these circumstances, and along with his most attentive observations on the military position of the country, the materiel of war, and the disposition of the people, offers them up, begging that a sacred glance may be bestowed upon the same.

Whereas your slave, with a view to the defence of the country and protection of the people, previously to the receipt of your Majesty's commands, foolishly and confusedly begged for a display of imperial clemency in favour of the English foreigners; at the same time (seeing that such was opposed to your Majesty's wishes) your slave repeatedly begged that his crime might be visited with the heaviest punishment, as is duly recorded.

On the 28th day of the 12th moon of last year (the 20th of January, 1841) I received a despatch from the Private Council to the following effect: — "We have received the following imperial edict: —'Whereas Keshen has reported to us the measures he has taken in reference to the circumstances of the English foreigners; that as these rebellious foreigners are without reason, and refuse to listen to our commands, a dreadful example of severity ought immediately to be made in their regard.

"'Already has a flying despatch been sent to the different provinces of Hoonan Szechuen, and Kweichow, that 4,000 soldiers be immediately got ready and sent with all haste to Canton, there to await orders; cause therefore, that Keshen, in concert with Lin Tsih-

sen and Tang Tingching, take the neccessary steps for settling this business. If the rebellious foreigners dare to approach our inner shores, let them be immediately exterminated.' "

"And successively on the 4th day of the present moon (26th January, 1841) I received the following imperial edict from the court direct;—'Whereas Keshen has addressed to me a document in reference to the present circumstances of the English foreigners, which on glancing over we completely understand:—Cause that our previous edict be put in effect with implicit submission: let our military force be plentifully assembled together, and a complete display of heavenly Majesty made in the utter extirpation of the rebels. As far as regards the expense necessary for these military operations, no matter whether it be the duties arising from foreign commerce, or the land-tax, you are hereby permitted to consult as to ways and means, and make true account of the expenditure of such revenues. Should these not be sufficient you can report the same to me and wait our further orders, &c. Respect this."

Your slave, while kneeling and hearing these commands read, reflected, that though he had conditionally granted the several items (of the foreigners' demands), yet he but barely promised to make a representation of them to your Majesty in their behalf. Thus, in reference to one article, viz.,—the opening of the trade, although it appears that they (the foreigners) had requested that this might take place during the first decade of the present moon (23rd of January till the 1st of February), yet up till now I have not dared to permit it, and they have already sent me in a a foreign letter, in which they restore us the forts of Shakok and Takok, and every one of the cruising vessels and salt junks which they had previously captured, and still further, they at one and the same time despatched a foreign officer by sea to Chekeang to order the withdrawal of the foreign troops, and wrote a foreign document, which they handed up to me, and which your slave transmitted to Elepoo by an express of 600 le a day, in order that he might receive back Tinghae, which conduct on their part looked more mild and submissive than had previously been the case.

But your slave is a man of confused and dull understanding: what he has done has unhappily not met the views of his Sacred Majesty; fearing and trembling as I am, how shall I find words to give expression to my feelings? Humbly remembering that your slave's person has received marks of Imperial goodness, his conscience is not hardened; how should I dare, while engaged on the important duty of curbing these outside foreigners, and struggling amid danger and difficulty, to strive after forbidden repose? From the moment that I came down to Canton have I been the victim of the craft and wiles of these presuming foreigners; in every instance are they quite ungovernable, until that my head aches, and my heart is rent, and my morning meal comes to me without relish. Thus, for example, on one occasion we gave the foreigners battle, but our men showed little firmness. We then requested that a manifestation of divine Majesty might be made in their annihilation. But, alas! the

circumstances of the case and the wishes of my heart are sadly opposed! All these facts have I offered up to your Majesty in repeated statements, praying that your Majesty would bestow thereon a holy glance. Now, it appears, that after these said foreigners had sent a person to Chekeang to deliver up Tinghae, and had restored all that they had captured in Kwangtung, and withdrawn their ships of war to the outer ocean, Elliot requested a personal interview with me, and, as your slave had not yet in person inspected the Bocca Tigris, and as the troops ordered from the several provinces had not yet arrived, it did not seem prudent to show any symptoms of dislike to his proposal, which would have given rise to suspicion on his part, and thus prematurely brought on a collision; so your slave took advantage of the opportunity to visit and inspect the Bocca Tigris, and on the 3rd day (25th January, 1841) left the city, and embarking on shipboard approached Sze Yang (Lion's Ocean), on the Canton river, whither Elliot soon came in a wheeled fire-ship, and begged for an interview. He scarcely brought several tens of persons in his train, and on that day his language and demeanour were exceedingly respectful. But he handed up to me a rough draught of several regulations which he had planned, the most of which regarded the troublesome minutiæ of commerce, and at the same time he agreed that afterwards in relation to the bringing of opium, the leaking out of sycee, or smuggling, he was quite willing that ship and cargo should be confiscated. But among the articles he proposed there were some items quite impossible to be granted; your slave at the time pointed them out and rebuked him, when the foreigner immediately begged that they might be discussed and amended. I consented that he might alter them, but told him, he must wait till they had been maturely canvassed and handed up to your Majesty for examination and approval.

Your slave after having parted with Elliot, found that the Sze tse yang (2nd bar) is distant from the Bocca Tigris about sixty le (twenty miles); but even there the sea is vast, the billows boiling, and the wind fierce; suddenly we came on the outer ocean in all its majesty! No inland river can in any measure be compared to it! Your slave immediately changed his boat for a vessel capable of navigating the high seas, and having arrived at the Bocca Tigris, made a most careful inspection of all the forts round about, if they may not be said to be utterly isolated on the four sides, and rising up alone in the midst of the ocean, yet are they situated beyond the extremity of our hills, and quite approachable from the sea; supposing them to be surrounded and blockaded, even so much as provisions for the troops it would be found difficult to introduce. Your slave then proceeded to measure the depth of the water, beginning at the Bocca Tigris, and sounding till he came to Canton, and found it at high water to be from one chang (two fathoms) and upwards to three and four chang, varying continually. Now, we all know that the principal cause of these forts being erected was a barrier to merchant ships which draw more water, and which in time of peace, when they submit to constraint, dare not to pass the bounds or to

go roundabouts; but if they were to bring troops with intention to rebel, they may sneak in clandestinely through every hole and corner; there is no necessity for their passing before the forts, and thus may they proceed straight up to the provincial city itself. Moreover, after having passed the Bocca Tigris, though we may add obstruction to obstruction, yet such is the nature of the country, that there is no important point by which we may hold it.

In reference to the guns mounted on these said forts, their whole number hardly exceeds 200, barely adequate to defend their fronts, while their sides are left quite unprotected. Moreover, among their number those which may be used at a moment's notice are not many, for in point of endurance as well as make they are alike defective. The bodies of the guns are immensely large, but the bore is very small, and the sea in those parts is extremely wide, so that they scarce carry to the middle; thus, as regards their number, they are fewer than those mounted on the foreign ships, and if we speak of their power, they are not equal to those which the foreign ships carry. Moreover the embrasures on the forts are as wide as doors, almost large enough to allow people to creep out and in by; if we had to sustain a broadside, they would offer no protection to our people, and may be said, in a word, to be wholly without strength. Just now we are making inquiries after a cannon-founder, to see if he can cast guns upon an improved model, when we shall have such cast; but if we can, in very deed, get them cast according to this plan, that will only do as a preventive against the future, and not at all be in time for the present emergency; thus there is nothing good in our military weapons, that we may place reliance on them.

Again, in reference to the strength of our soldiers, I find that the keeping off the foreigners must be done by sea-fights, and to fight well at sea we must have good marine troops. I have now to feel grateful to your Majesty for specially sending land troops from the different provinces. This shows the great and sacred anxiety your Majesty feels in the matter. But then these troops must go on board our seagoing ships before that they can give battle to the foreigners; and if they were not firm, or if they were not accustomed to the winds and waves, it might entail on us the calamities of a defeat. Now, they are not accustomed to go on board ships and handle them, so that we cannot but use marine soldiers. The marine troops of Canton province are drawn by invitation from the sea-side, and their quality is irregular and uncertain. I had previously heard a rumour, that on the 15th day of the 12th moon (January 7, 1841), after the battle, the whole of these soldiers went to their Tetuh, or general, and under false pretences extorted money from him, otherwise they threatened to disband. And lately I went to the said Tetuh, and asked him face to face concerning it, when he said that it was quite true, and that he (the Tetuh) having no remedy was obliged to pawn his clothes and things, by which means he was enabled to give a bonus of a couple of dollars to each of his Canton soldiers, and thus got them to remain at their posts until now. If then the disposition of these soldiers, as it is, is greatly to be

lamented, supposing at the most critical moment when we had actually joined battle these marine forces were to be found weak and without energy, it might lead to the most fatal consequences; and although we might have veteran troops among them, yet there would be no means of inspiring them with a portion of their skill and steadiness. Moreover, our war-ships are neither large nor strong, they are not capable of sustaining large guns, so that they are unable to repulse the foreigners, and these are the remarks I have to offer on the weakness of our soldiery.

I have also found by careful examination that the characteristics of the people of Canton province are falsehood, ingratitude, and greediness; putting out of the question those who are already actual traitors, and whom there is no occasion to speak about, the rest have all been born and dwell in the same place, mixed up with the foreigners; they are constantly accustomed to see them, and for many years have been as intimate with them as very brothers; they are not at all like the people of Tinghae, who having never been accustomed to hold intercourse with foreigners immediately discovered them to be a distinct species. But if we suppose that what they did there they had done here —if these said foreigners had deceitfully distributed their paltry presents, and set the machinery of their tricks to work, I really fear that the whole people (of the province) would have been seduced by them; they would certainly not have shown the unbending firmness of the Tinghae people. Such are the observations I have got to offer on the flexible disposition of the Canton people' which circumstance gives us still more cause for anxiety.

On looking over the records of the past, I find, in reference to the putting down of the ladrones, that these were but so many thieves and robbers, the ships they were embarked in were native ships, and the guns they made use of were native cast guns, and yet this affair was spun out for many years, and only put an end to by inviting them to surrender under promise of pardon; and under the present circumstances it is to be feared that the wasp's sting is much more deadly.

Your slave has again and again revolved the matter in his anxious mind! In so far as it regards his own person it is unworthy of notice, but the consequences touching the vital interests of the country and the lives of the people involved in it are vast and extending to posterity! But alas! your slave has sinned in giving battle when he could not command destiny to give him the victory, and he has no less sinned in being unable to settle matters in unison with your sacred Majesty's wishes! Both of these are crimes which affect his poor life, but what is there in this worthy of pity or consideration? Still your slave, though he has sinned in not being able to settle matters in unison with your sacred Majesty's wishes, yet the territory and people of Canton still exist and look up to your most sacred Majesty for his gracious support and protection, while your slave, by having sinned in giving battle when fate denied him the victory, has soiled the glory of his master and poured out the lives of his people, and still more, left himself without a sensi-

ble plan to put in operation; therefore it is, that after having duly consulted with the Tartar General of the garrison and his Adjutants, the Lieutenant-Governor, the Literary Chancellor, the Judge and Treasurer, the Intendants of Circuit, the chief magistrates of larger and lesser districts, and the Ex-Governors Lin Tsihtsen and Tang Tingching, &c., we have unanimously come to the conclusion that our defences are not to be relied upon, and that in the tug of battle our troops will not stand their ground. Moreover, in regard to troops which have been ordered by your Majesty from the different provinces, time is still necessary for that object, nor can they all arrive at once, and the assembling of a large body of troops is not a thing that can be done quietly, the native traitors are sure to give timely notice of it, and the foreigners would in the first instance give loose to their madness and extravagance.

Your slave is vexed to death thinking of these things, even till he loathes his food, and till sleep has forsaken his eyelids, forasmuch as he does not shrink from the heavy guilt he is incurring in taking all these facts, the result of his diligent inquiries, and annoying with them the ears of Heaven's son; and at the same time he takes everything connected with the foreigners, and all the foreigners' letters, and hands them up for imperial inpection. He humbly hopes that the Holy One will look down with pity and compassion on the black-haired race, and shower upon them an extra measure of clemency, in granting what is therein requested, so that the people of the land may not be turned to ashes. In times of difficulty is seen good government, victory is but a transient thing; in restraining the ruin that is before our eyes, we ought carefully to eradicate the cause of it for after ages!

In reference to all the circumstances contained in this, whether the result of my conference with the high provincial officers, or of my own diligent investigation, I only hope that your sacred Majesty will condescend to inquire regarding them, and I beg that your Majesty will specially appoint a high officer to come here to ascertain their truth. Your slave has been actuated by a desire to save the country and the people from first to last, and not swayed by the smallest atom of fear, and still more he dare not make use of the least glossing or deception.

Inasmuch, therefore, this respectful memorial is forwarded at the rate of 600 le a day, humbly hoping that the Emperor's holy glance may be bestowed thereon.

A respectful memorial.

The Emperor's Reply.

On the 25th day of the 1st moon of the 21st year of Taoukwang (16th of February, 1841), the following remarks, written with the vermilion pencil, were received in reply:—

"We can on no account calmly put up with the insults and befooling of these rebellious foreigners as you have done. Blinded and unwilling to see as you are, dare you still have the hardihood to turn your back on our commands; to continue receiving the foreigners' documents, and even to beg favours in their behalf? Such proceedings pass the bounds of reason. Impotent and worthless that you are, what sort of heart is contained

within your breast? Not only do you contentedly take in their threats and insults, but you even dare to hold up certain passages with intent to frighten us. But know that we have no coward fears. Besides this, we shall again announce our pleasure. Respect this."

A true translation.

R. THOM,

Assistant-Translator and Interpreter to her Majesty's Commissioner in China.

The destruction of the Bogue Forts in February appears to have excited more wrath than alarm in the Council of the Celestial Empire, as will appear by the following document.

At five o'clock on the 28th day of the 2nd moon (March 20, 1841,) the Imperial commands arrived in this province, as follow:—

"The English, rebelling on a former occasion, and having seized upon the fortresses of Shakuh and Taekuh, wounding our high and subordinate officer and troops, have caused us to gnash our teeth with combined imprecations. We therefore specially deputed Yihshan, Lungwan, and Yangfang, to assemble from every quarter the efficient troops, and to advance and exterminate the enemy. But now they have attacked and destroyed the fortress of Foomun (Bocca Tigris) and have even recklessly dared to approach near the confines of the city (Canton), creating vast confusion. Being destitute of all reason, contemptuously regarding our Celestial dynasty, they have carried their unsubmissive rebellions to this extreme, and I, the Emperor, now swear that both powers shall not stand (one or the other must conquer or die), let Yihshan, Lungwan, and Yangfang, at the time reckoned upon for their arrival, forthwith put in order our patriotic troops, and with undivided efforts seize the English barbarians, and make an entire extermination and end of the whole of them. Then will subside our wrathful indignation. If the whole number of them be not thus effectually destroyed, how shall I, the Emperor, be able to answer to the Gods of the heaven and the earth, and cherish the hopes of our people? Respect this."

Again have the Imperial commands been received as follows:—

"The rebellious barbarians having formerly seized upon the forts of Shakuh and Taekuh, wounding our high and subordinate officers and troops, was cause for still more increased attention to rigorous means of defence. But on the 8th day of the 2nd moon (February 28, 1841), these rebellious barbarians destroyed our position of Fooman, evincing that all the great officers of the said region were entirely in a state of utter unpreparedness, and that the military affairs of Kwangtung province were in a ruinous and unfit condition. Let the Generals of the army, therefore, of this region, together with the Governor, Lieutenant-Governor, Assistant-Generals, Literary Chancellor, the Judge Intendant of Circuit (Taoutae), with the Foo Chow, and Heen magistrate, be all disgraced from their rank, but retained in office until they make up their delinquencies by efficiency of effort. Respect this.

"Vert. J. L. S., by request for the Canton Press."

"*Macao, March* 30, 1841."

While the preceding documents show in what light the Chinese Cabinet are pleased to represent to the nation the transactions at Canton, those which follow let us behind the scenes, and show that the Imperial Government is in reality well informed upon the true state of the case. It is an abstract of a proclamation of the Emperor, issuing poor Keshen's death-warrant, restoring Lin to favour, and appointing Ke Kung Governor of the two Kwang provinces, dated on the 4th of the 3rd moon (26th March).

This proclamation observes, that it is represented in Keshen's official report, that Chinleen Shing, the officer of the three Keang divisions, (who defended Chuenpee) having erred in his manœuvres, the troops were slain, and he himself committed suicide, but that it has been also represented by Ho, the General, and E, the Lieutenant-Governor, that Chinleen Shing was patriotic, brave, and skilled in stratagem, and that he had besought the Governor Keshen to block up the river, and also to issue out 5,000 catties of powder. Keshen, however, with unexampled audacity and temerity, refused to allow the river to be blocked up, and actually had the stinginess to issue only 1,000 catties of powder, and even that, it appears, was grievously adulterated with "a vast deal of sand and dirt," which rendered it perfectly inefficient. "Therefore," pathetically laments the Emperor, "perished in the ranks both father (Chinleen Shing) and son, which is cause of profoundest sorrow."

The loss of the position of Foomoon (on the 26th of February, 1841) had also caused the Imperial heart of his Celestial Majesty to be "riven with direst grief." The Emperor then admits, that it had not been for a moment supposed that Keshen possessed such low capacity as to part with his country for money; and then says, without further preface or circumlocution:—"Let the Imperial body-guard, therefore, forthwith seal up Keshen's ancestral temple, and also rigorously put the whole of his family in irons: and let Wokih proceed to Canton, arrest Keshen, and bring him to the capital, and upon the very day that this rebel Minister arrives, let him and all his family at the same time be put to death together."

The Accusations against Keshen, presented at Court by E, the Lieutenant-Governor of Kwangtung.

1. He held interviews with, and received documents from, Elliot, on equal terms.

2. After his arrival at Canton he did not choose out and depute either literary or military mandarins to go to Elliot to speak about affairs, but only employed in his office a traitorous Han (Chinese) named Paoupang.

3. The Admiral (Kwan) took the troops and proceeded out to sea to guard and watch the public interests, but nothing whatever would Keshen communicate to him, and when he (the Admiral) requested definite instructions, he was forthwith met with angry railing, and it became impossible for the Admiral himself to adjust

these affairs, of more or less importance.

4. He issued orders to each of the forts that it would not be allowed to those who might be covetous of merit to ruin matters by opening fire with their musketry and great guns of their own accord, and consequently these forts and the military stations, were all lost on the same day.

5. He constrained Lekeen, the Adjutant-General, to prepare an official despatch for him acknowledging his (Keshen's) offences, forcing him to affix his (Lekeen's) seals to the same, and to present it to Elliot.

6. He changed every measure for the worse made vague and incoherent representations to the Court, and brought disaster upon the Admiral (who fell at the taking of the Bocca Tigris.)

7. At the offing of Szetsze (on the river above the Bocca Tigris) he fired salutes and went to receive Elliot, and also despatched messengers to deliver his commands to each of the forts, that they were to observe the same arrangement and receive Elliot in like manner.

8. He affixed his seals to a document dismembering a portion of our territory, and delivering it over to those barbarian men for a place of residence.

I, E, Lieutenant-Governor (of Kwangtung), lay these accusations before the Court.

And the next will show how the Government of either nation is dissatisfied with the imbecile proceedings which have produced the war, and rendered its results precarious; and it will also show that each awards to its unsuccessful officers parallel punishment, Lin being half-pardoned and reduced a button, and placed in subordinate employment, and Elliot degraded from a Plenipotentiary to a simple Consul, and employed in a distant and unimportant office.

The Emperor refuses to reinstate Lin in his original position for the following reasons:—

"In relation to Lin Tsih Sen, who was formerly Governor of the two Kwang provinces, and of whom the rebellious barbarians stood in awe, I, the Emperor, being deceived by the false representations of the rebel Minister Keshen, thereupon deprived him of his offices. At present various high officers have handed up a document requesting that Lin be reinstated in his original official position (as Governor, &c.); but as a Governor has already been fixed upon, Ke Kung, by Imperial command (who was Lieutenant-Governor of Kwangtung seven years ago), there need be no occasion of further change. And we also allow Lin to become the chief of the second degree of official rank, and let him advise together with Eleang and others in relation to the affairs of the army. Respect this."

The Eastern journals contain abstracts of the great number of documents which have not reached this country in an entire shape:— as these fragments, however, throw considerable light upon the effect of our proceedings, some of them are here given. The first is taken from the Proclamation of the Celestial Emperor after the destruction of the Bogue Forts.

His Majesty appears to have been greatly shocked by the latter event, and observes, that the English barbarians, taking occasion to enter far into the river with large forces, had advanced upon and

attacked Woochung, near to Whampoa, wounding his great generals and slaying his troops. The Emperor evidently considered that the English would find it as impossible a matter to clear themselves of the enormous guilt in thus bearding his Celestial Majesty as Lady Macbeth formerly did to wash from her hands the blood of King Duncan; for he says, "such wickedness and guilt as this would be most difficult indeed for all the waves of the Eastern ocean to wash out." The Emperor then pathetically reproaches Keshen and Eleang for their neglect in providing means of defence, and observes that it is decidedly requisite that Yihshan, Lungwan, and Yangfa, should, with vengeful efforts, visit death upon the English, in order to redeem their former errors.

The Emperor was not content, however, with expressing the profundity of his indignation, but issued another proclamation how the disaster should be remedied.

"The English rebels having entered the river with their troops, daring to seize upon the confines of the city, creating confusion and disturbance, contemptuously regarding our Celestial dynasty, and wounding our high generals and troops, have aroused our deepest indignation. The origin of the above proceedings is found in the fact of the whole of our officers being affrighted, and not daring to attack them — and thus matters have come to this. I, the Emperor, now order, Meentang and the great Minister Hoo to lead forth the army of 50,000, and most decidedly make a thorough extermination of the English rebels, in order to tranquillize the hearts of our people. But if you dare to be cowardly, and privately of your own accord proceed to make peace, most certainly will you be put to death. Let the two words, 'make peace,' for ever after this find no place in your hearts, nor ever give them form by writing them out. If you both (Meenfang and Hoo) do not tremblingly carry out my Imperial design, then are you not the son and Minister of our realm. And should you dare to become tardy in your duties and listen to their pretensions to 'make peace,' I, the Emperor, will place myself at the head of a mighty force, and most uncompromisingly make an end of English guilt. All the troops of Keelin, Woolung, and Solun, will also hasten to assemble at the capital, that we may all together advance and exterminate, not allowing so much as a bit of broken plank of the English to return — then will be laid aside my Imperial resentment. Respect this."

On the 8th of the 3rd moon (30th of March, 1841), the Imperial commands were again issued by a proclamation. His Imperial Majesty is doomed to another fearful shock. He alludes to the English barbarians having hostilely approached near to the confines of the city of Canton, and so supremely outraging all laws, that the indignation of both gods and men are aroused, "with which Imperial heaven will not bear." As to the "submissive" solicitations of the crestfallen English for peace, the Emperor treats them with utter contempt. He alludes to the extreme difficulty of regarding the unhappy culprits with leniency, and swears that, as they have become so extravagantly disobedient, both shall not stand.

(This signifies that either one or the other of the contending parties must be exterminated.)

His Majesty orders Yihshan and Lungyan, Hoo, E, Lin, and Tang, to put in readiness the troops, and most peremptorily make an entire end of the whole, not allowing even one luckless barbarian to escape back to his country; and furthermore, he (the Emperor) will summon a great army, that from the north they may be exterminated, by destroying their nests and dens (in England and India), thus cutting them off both root and branch, and not allowing them one foot of ground—all in order to appease his Majesty's imperial wrath! As for Keshen, who is accused of receiving bribes from the enemy, he is disposed of in a summary manner, the Emperor ordering that he forthwith be cut in sunder at the waist. His Majesty also orders all who officially attended him, whether great or small, his relations, and all who appertain to him, to be decapitated indiscriminately! He disposes of another unhappy wretch, Paoutsung (accused of traitorously combining with the English), by ordering him to be put to a slow and ignominious death, by having his flesh cut from his bones in small bits; and, further, that his native place be laid waste for 100 le round, and his relatives be sentenced to the penalty of transportation!

His Celestial Majesty concludes his bloody proclamation as follows:—

"Let the peacock's feather be plucked from the cap of Yihshan for his imbecility and tardiness in bringing forward the troops; let Lungwan be disgraced two degrees of rank; and let Yangfa be deprived of the truly brave rank of How; and let every officer in the province of Canton, whether high or subordinate, be deprived of his official button, until they make good their delinquencies by efficiency of effort. Respect this."

The report of Generalissimo Yihshan, on the result of the British attack on Canton and the ransom of the city, has not, unfortunately, come to light;* which is much to be lamented, as, judging from the Emperor's gracious reply, it would probably tend to enlighten the British Government on the veracious reports our Plenipotentiaries and Generals think fit to make, trusting to the distance and difficulty of obtaining other information for impunity.

The Emperor's Reply to the Generalissimo Yihshan's Report on the Attack on, and Ransom of, the City of Canton, on the 24th and 25th of May, 1841.

In a despatch from the great military Council to the imperial Commissioner and rebel-quelling Generalissimo Yih, the selected assistant great Ministers, Lung, Yang, and Tse, the Governor-General of the two Kwang, Ke, the General of Kwangchow district, Ko, the Fooyuen, E and the Footun Yuh, the following imperial edict was enclosed:—

"On the 29th of the 4th moon

* In the Chronicle, p. 86, will be found a Chinese report of these operations, which probably repeats the substance of Yihshan's despatch.

(June 18) we, the Military Council, received the (following) imperial edict:—

"'Yih and his colleagues have reported that the English barbarian ships attacked the provincial city, but the troops who guarded it feared not for its safety, and affairs were managed according to the emergencies of the case.

"'On looking at the report, I thoroughly understand the whole of it. The English barbarians, after engaging, have twice retreated before my troops: thus the affair has already become weakened, and the strength (of the English) has been strongly pressed upon whenever put forth in the battle's strife.

"'The said barbarians are like dogs and sheep in their disposition—

"'A dog in forehead, but in heart a deer;'

they are not worth an argument.

"'Moreover, they have already been chastised and repressed, and the terrific majesty of my soldiers has already been manifested, and the resident inhabitants of the city have, through their multitudinous troubles, presented petitions.

"'Further, it is authenticated that Yishan has reported that the said barbarians doff their caps and perform the proper ceremonies, and have begged and prayed that he will transmit their report, imploring for favour. I, the Emperor believe in you (the said high officers), and that the trouble and vexation of your minds (through the prayers and supplications of the people) drove you to extremities, or forced you to temporize, and induced you to request me to allow the (English) trade.

"'The said Generalissimo should enjoin severe orders on the said barbarian officer that he immediately retire every one of his ships of war, and send them to the outer ocean, surrender all the batteries, and be implicitly obedient to the laws; then only may they merely trade, according to custom, nor allow them in opposition to the prohibitions to smuggle opium. But if they dare purposely to oppose the prohibitions, then decidedly no indulgence shall be shown, nor any excuses allowed.

"'I direct the Generalissimo and his colleagues to meet the Governor and Lieutenant-Governor, and with all their hearts, and souls, and strength, to consult on and devise plans of management; and when every thing is safely settled, to report all the particulars.

"'It is impossible to fathom the dispositions of the barbarians; and it is right to prepare secret means of defence, nor should there be the least degree of negligence or remissness; wait until after the barbarian ships have retired, then quickly resume possession of the forts, and guard and maintain the important passes, and such-like places.

"'Build new and strong forts, and put the old in the best possible state of defence. If the English barbarians evince any disposition to be proud and domineering, then the troops should be led on to exterminate them; for it must not be, because favour has been bestowed on them, that their extortions in all matters should be unopposed.

"'Here is a supplementary report.

"'Numbers of the houses of

the resident inhabitants beyond the walls have been burnt.

" 'I order Ke and E immediately to depute officers for the special purpose of examining clearly, to tranquillize, soothe, and compassionate the people. As there is stored up in the provincial treasury 2,800,000 taels weight of silver, I order arrangements to be made for the Hong merchants to replace it by instalments in successive years; permit no specious delays. I also order that when methods of management have been consulted and determined upon, they be carried into effect.

" 'Forward this edict at the rate of 600 le a day, and order all men quickly to inform themselves of its contents.

" Respect this.' "

And the following despatch of the Imperial Commissioners not only tends to confirm Yihshan's report, but will show in what light the officials of China choose to represent the vacillating conduct of our Plenipotentiary.

" Keshen, a great Minister of State, and Imperial High Commissioner of the second order of hereditary nobility, and acting Governor of the two Kwang provinces, writes this despatch for the full information of the Tungche, or Keunmingfoo of Macao.

" The English barbarians are now obedient to orders, and, by an official document, have restored Tinghae and Shaheo; invoking me with the most earnest importunity that I should for them report, and beg the (imperial) favour.

" At present, all affairs are perfectly well settled. The former order for stopping their trade and cutting off the supplies of provisions, it is unnecessary to enforce; it is for this purpose that I issue these orders to the said Tungche, that he may obey accordingly, without opposition. A special despatch."

MISCELLANEOUS.

Forgery of Exchequer Bills.

About the middle of October the attention of the mercantile men of the city, and especially of those whose business was most connected with the Stock Exchange and monetary affairs, was drawn to certain anomalous transactions in Exchequer Bills, which excited much surprise and suspicion. It appeared that some unknown parties were in the habit of borrowing money to very large amounts, upon deposits of Exchequer Bills, and that on the loans so obtained they were willing to pay very large interest, so much as 6, or even 7, per cent. These securities, at this time, bore interest about $3\frac{1}{2}$ per cent., while loans were usually obtainable in large sums, for temporary purposes and upon less eligible securities at considerably below the current rate of interest in the discount market — from which it was inferred, that if these transactions were *bonâ fide*, the loans might have been obtained without such a sacrifice, or, if required for a longer period than usual, the capital could have been realized by the sale of these documents. It further appeared, that these transactions had the same origin, and that the parties were known to have been engaged in gambling speculations of a very reckless description, and chiefly in Spanish stock, by which very large sums had been lost.

Attention having been drawn to these things, it was soon ascertained that some, at least, of the bills, bore the same numbers as others in circulation at the same time. Any inferences, however, that might have been drawn from this circumstance, were neutralized upon reference to the Exchequer Bill Office, when it was found that two sets of bills, made under distinct Acts of Parliament, were in circulation, of which a certain quantity bore the same numbers. It was, however, at the same time discovered that the parties who had deposited the bills in question, had exacted a pledge from the lender, that these bills should not be put into circulation but the identical documents returned, and that in one case where a bill had been accidentally passed away, the greatest exertion had been made to trace and recover that bill.

Suspicion as to the genuineness of these bills was, moreover, again excited by the discovery that three sets of bills, bearing the same number, and purporting to be issued *under the same grant*, were in circulation, rendering it evident that some fraud had been committed; and the attention of the Chancellor of the Exchequer having been drawn to this circumstance, a searching investigation took place, which resulted in the arrest of Mr. Edward Beaumont Smith, a gentleman holding the

appointment of Senior Clerk in the Office for the Receipt of Exchequer, Mr. Ernest Rapallo, a stockbroker, and other parties.

As some of our readers may not be aware of the nature of these securities, the following brief account of their origin and nature may be useful. In the 8th and 9th year Will. 3rd, the expenses of the war with France having far exceeded the available resources of the kingdom, Montagu, the Chancellor of the Exchequer, (afterwards Earl of Halifax), recommended that the supplies for the ensuing year (1697), should be raised during the current year, (1696), and Parliament having passed a resolution to that effect, the Chancellor of the Exchequer was authorized to issue bills upon the security of the Land-tax, of such various amounts as might seem expedient. Exchequer-bills are, therefore, promissory notes, in anticipation of, and secured upon, the revenue yet to be collected. In the following year, however, in consequence of the increased demand for money, these securities fell to 40 per cent. *discount*, and in order to restore the credit of Government, and to make them a more acceptable security, an act was passed, making them payable into the Exchequer in respect of all taxes and aids, and granting interest upon them at the rate of 5*d.* per day per 100*l.* From this it will be seen that Exchequer-bills cannot fall below *par*, except under very extraordinary circumstances, because Government *must* receive them at the value they purport to bear; but being a very available and current security, merchants are frequently willing to give more for them than their nominal value, and they are then at a *premium*. In passing, therefore, from hand to hand, an Exchequer-bill, say for 100*l.*, brings 100*l.*, and as much more as the merchant thinks fit to give as a *premium* for the security, and besides, as much interest as may have accumulated upon it from the date of its issue.

Soon after the passing of this statute, and before its full effect was perceptible in raising Exchequer-bills to their full value, a very extensive fraud was discovered, founded upon the peculiarities above noticed. The parties were Government officers of very high rank—*Duncombe*, Receiver-general of Excise, *Burton*, an officer in the same department, *Knight*, Treasurer of the Customs, and *Marriott*, a Deputy Teller of the Exchequer; the mode of perpetrating the fraud was the following:—Duncombe having received 20,000*l.* in coin on account of the Excise, with a portion of this sum (7,000*l.*) purchased Exchequer-bills at a *discount* of 5 per cent. and then procured these bills to be paid into the Exchequer on account of the Excise at *par*, thus pocketing the difference. Duncombe was tried and acquitted, but evidence having been procured from a confederate, the House of Commons took up the matter, Duncombe and Knight, who were both Members of the House, were expelled and sent to the Tower, Burton was committed to Newgate, and the House passed a Bill of Pains and Penalties against Duncombe. The House of Lords, however, were less earnest, and the whole parties ultimately escaped punishment.

This mode of raising money proving very convenient to Government, other sums were raised by the issue of Exchequer-bills

under such modified acts as experience dictated.

In the year 1803, an extensive embezzlement of Exchequer-bills belonging to the Bank of England, was discovered (see our volume for that year). The perpetrator was *Robert Aslett*, one of the principal Cashiers of the Bank, under Mr. Abraham Newland. It was Aslett's duty to sign the orders for the purchase money of Exchequer-bills, and to take charge of the bills so bought, and when a certain number had been collected, to carry them to the Directors, and they were then deposited in the strong-room. Now, as bills purchased by the Bank were never resold, no bill once sold to them could re-appear in the market without fraud.

In December, 1802, a number of bills were bought by the Bank, and placed in Aslett's hands. In March Aslett employed *Bish*, a stockbroker, to make a speculation for him in the Funds, and placed three Exchequer-bills in his hands to cover any difference. Bish recognized one of the bills as having been sold by him to the Bank, and suspecting fraud gave notice to the Directors, and Aslett was apprehended. On opening his desk further bills were discovered amounting to 16,000*l.*, and it was also ascertained that he had sold Exchequer-bills belonging to the Bank to a very considerable amount (320,000*l.*). Aslett was tried and acquitted on technical objections, that the bills having been originally made in a defective form, the instruments so made were *not Exchequer*-bills, even though an Act of Parliament had been passed to remedy the oversight. Aslett, however, was detained in custody and again tried on an indictment describing the instruments as *purporting to be Exchequer-bills:* and upon this charge he was found guilty and sentenced to death, which sentence, however, was never carried into execution.

With respect to the forgeries of Beaumont Smith, the Report of the Commissioners appointed to enquire into the subject, renders it unnecessary to enter into a more particular description of the manner of effectuating this fraud. The effects upon the mercantile community were great and disastrous. Exchequer-bills became immediately a suspected security; those classes of bills to which particular suspicion was attached, or which were known to have come from the guilty parties, were, of course, utterly useless, and the holders, however innocent, were subjected to the inconvenience or even ruin of holding worthless paper, while holders of genuine bills were compelled (unless so placed as to be above the necessity), to sell at a ruinous loss, or give guarantee to purchasers against loss. There is no doubt that some of the heavy failures which took place soon after the discovery, were in some degree attributable to those events. Government, as was to be expected, incurred a large share of odium for the inconvenience occasioned by this discovery, and as the various routine of the Exchequer Office, and its defective arrangements came to light, the outcry increased with ten-fold violence, and Lord Monteagle, the Comptroller-general of the Exchequer, had to bear the obloquy for all the omissions and commissions of all his predecessors, as well as for those which it was discovered were peculiar and personal to himself.

It must be confessed, that considering the importance of the department, and the immense value of the documents made therein an incredible laxity appears to have prevailed. — The office of the Comptroller, who presides over the department, is a permanent appointment, with a considerable salary, and it is believed, that at one time the fees and perquisites were very large. The appointment is usually given to some considerable partisan of the party which may chance to hold office when the vacancy occurs, and the business has in consequence been managed by the clerks, in the formal and solemn manner found in a snug Government office, where the besom of real business seldom intrudes to disturb the hereditary cobwebs. And thus far, no positive blame would seem to rest upon the Comptroller. The public had, however, just reason to complain of the arrangements made by the officials for investigating their claims. A notice having been issued that the holders of Exchequer-bills should bring their instruments in order that they should be examined and if found genuine, stamped, hastened to act in accordance with their instructions, but when they arrived at the office they found that no arrangements had been made and no stamp provided: another notice was then given, directing certain schedules to be given in with the bills, and stating, that those found genuine would be returned, but those of which the authenticity was doubtful would be retained; a proceeding which was justly complained of as tending to deprive the holders of their vouchers, and as being directly opposed to the practice of the law in cases of forgery; and in consequence, many holders refused to offer their bills for examination, preferring to await until their date should expire, when they could be presented and payment demanded. A third notice was also given, that the examination of the signatures and the return of the stamped bills must be conducted by different departments —a method creating further delay and inconvenience.

Further dissatisfaction was produced by the mode of examination and the uncertainty of the examiners; for the genuine documents being signed by the Comptroller and his Deputy, when at leisure, in great numbers, the intentional similarity of the signatures and the variation inevitable upon writing so large a number with the greatest rapidity, caused much difficulty in deciding even upon those which were genuine, and the further difficulty of accurately comparing the cheque with the counterfoil rendered the process tedious; nor did it appear that any criterion had been ascertained by which reasonable doubt could be removed.

Upon the 3rd and 4th November, Ernest Rapallo was brought up at the Mansion House, and evidence was given tending to implicate him in passing certain bills knowing them to be forged, and on the 17th November he was committed to Newgate. Rapallo was subsequently admitted to give evidence, the Government promising the usual indemnity. On the 4th November Beaumont Smith was placed at the bar before the magistrates at Bow-street and committed to Newgate for trial.

On the 4th December, the principal, Edward Beaumont Smith, aged 44 years, was placed at the bar of the Central Criminal Court.

Mr. Baron Parke was the Judge; the Attorney and Solicitor Generals and Mr. Adolphus were engaged for the prosecution; Sir Thomas Wilde and Mr. Martin for the prisoner.

The indictment contained sixteen counts.

The first charged the prisoner with having forged, on the 10th day of October last, at the parish of St. Martin-in-the-Fields, a certain Exchequer-bill, bearing date the 16th day of June, 1841, and numbered 6,405, for the sum of 1,000*l.*, and bearing interest, with intent to defraud her Majesty the Queen.

The second count charged the prisoner with uttering and putting off the said Exchequer-bill with a like intent.

The third and fourth counts charged the prisoner with forging and uttering the said bill with intent to defraud Dudley Montague Perceval, Deputy-Comptroller of her Majesty's Exchequer.

The fifth and sixth counts, in like manner to defraud Thomas Spring, Baron Monteagle, Comptroller of her Majesty's Exchequer; and

The seventh and eighth counts, in like manner to defraud Francis Towneley de Berckem.

The remaining counts were merely repetitions of the foregoing, but describing the forged document simply as an Exchequer-bill without setting it out at length.

Mr. Clark, the clerk of the arraigns, having read the indictment, said, "Edward Beaumont Smith, how say you — are you guilty or not guilty?"

The prisoner. — My Lord, I plead guilty.

Mr. Baron Parke.—Call upon the prisoner to receive judgment.

Mr. Clark.—Edward Beaumont Smith, you stand convicted upon your own confession of felony; what have you to say why you should not receive sentence according to law?

Mr. Baron Parke was proceeding to pass sentence, when

The prisoner said—My Lord, I wish to say a few words.

The prisoner then drew from his pocket a written document, which he read generally in an impressive manner. The following is a copy:—

"My Lord, I pray your Lordship's indulgence while I offer a few words to your consideration before you discharge the duty which my conduct has imposed upon you —that of passing sentence upon me. I would have received that sentence in respectful silence, and have thereby shortened the period of my painful exposure as a public criminal at this bar, and would have retired in penitence to my cell, did I not feel that I owe it to public justice, to the innocent persons whom my conduct may have placed in circumstances of suspicion, and also to myself, to say a few words. The crime I have committed is great—I do not attempt to excuse or to extenuate it; but it will not be forgotten that I have submitted myself to meet, and exclusively to bear, all the consequences of that crime, and have not sought to screen myself by the addition of duplicity or meanness; and I respectfully implore the Court, not to think that I do not feel all the weight and enormity of the offence itself because I humbly call its attention to circumstances which are calculated to show that I have not altogether become debased or my feelings and principles altogether

vitiated. Pecuniary difficulties, arising from misplaced confidence, and liabilities to a very limited extent, not exceeding a few hundred pounds, although beyond my means to meet, first exposed me to the suggestions of those who tempted me to obtain a temporary relief by the fraudulent fabrication of Exchequer-bills, to be pledged for a short time, and then to be redeemed and cancelled for ever. I yielded to the temptation, but without obtaining the promised relief, and, once committed, I became in the power of the tempter, and my retreat has been prevented. Allured and beguiled by plausibility, power, and talent, which I could not resist, I became entangled beyond escape; and, while Exchequer-bills were obtained from me to an enormous extent, I never derived benefit even to the small extent necessary to relieve me from my comparatively trifling embarrassments, and I am at this moment in debt for money actually borrowed from sources unconnected with Exchequer-bills to pay off my original incumbrances. A sordid or avaricious motive has never influenced me, and I have been sacrificed to the objects of others. Whatever speculations may have been carried on by those who have used the Exchequer-bills, no profit, or even account, either of monies received or speculations entered into, or of the losses or gains which have resulted, has ever reached me, and never was intended to reach me. Year after year bills have been wrung from me under pretence of reducing and cancelling those outstanding, in order to prevent discovery, and afterward, by the repeated misapplication of them, the necessity was created for more to accomplish the original purpose; and thus the frightful issue which has taken place was occasioned. If those yet unstained by guilt could appreciate the horrors which attend a course of crime, no sentence of the law could be necessary to warn and deter them from entering upon it. I am born of a family upon which disgrace never lighted till now. (The prisoner here dropped the paper on the front of the dock, and was evidently much distressed; he stood motionless for some time, but he at length proceeded.) Educated in principles of integrity and honour, I have lived respected, and (the prisoner here looked earnestly and anxiously towards Lord Monteagle), I believe esteemed, and I have enjoyed the confidence of many highly honourable persons; I am now, by my own confession, a guilty criminal, exposed and trembling at the bar of justice, and shrinking with agony from the gaze of my former friends. If any there are who are disposed to think my principles and education aggravate my crime, let them forbear their censure till they have also estimated by how much they deepen my contrition and aggravate my punishment. I have lived for years in the certain anticipation of this dreadful hour, knowing that it was certain to come; and if I had not been overborne by my own feelings, I should have escaped it by a still greater crime, or by flight. Uncertain how soon the period of detection would occur, every day and almost every hour has awakened some alarm lest it should have arrived, and that my character, station, and comfort were destroyed for ever. (Here the prisoner was again much affected.) My Lord, during the time that has passed I have had

the means and strong temptations to give Exchequer-bills to raise sufficient money to enable me to fly, and thereby escape my present disgrace; but, however, the word 'honour' may be supposed to be prostituted by my using it, I yet declare I have been restrained from flying or raising money for such a purpose, because I knew that in my absence suspicion would arise that others had been either negligently or criminally instrumental in the commission of the fraud, and that public alarm would be the consequence to a much greater extent than the evil justified. During the long period of my distress, therefore, although I was nearly overcome by it, yet I was induced to continue the commission of my offences to avoid meeting immediate disgrace, and forbore making a full disclosure of my previous criminal conduct, which I had often desired to do. I therefore always resolved, that whenever the time of discovery should come, I would remain and instantly avow myself as the sole guilty official person, and make the best reparation in my power by preventing unnecessary alarm and agitation to the public. I determined that I would bear the whole consequences of my guilt, and not permit the innocent and honourable persons in the office, whether high or low, to be subjected to unjust suspicion. However guilty, therefore, I yet am voluntarily a prisoner, and have acted under the influence of feelings much more consonant with my general character than are the acts which have brought me to this bar; and you, my Lord, from the depositions before your Lordship, will have learned, that with ample opportunity to escape, and when suspicion had not in the slightest degree alighted upon me, I, unasked, made to the respectable solicitor of the Treasury the most distinct confession that I was the sole official author of the mischief, and instantly submitted myself to the doom which now awaits me, and which presents the prospect of the remainder of my life being bereft of everything that can render life desirable, and as a means only, by its continuance, of protracted punishment, and of wretchedness to those near and dear to me, and who are so interested in the fate of so unhappy a being. (The prisoner was again compelled to pause for some time, whilst tears ran down his cheeks.) The only use of that life now must be to enable me, by the fullest disclosure of every part of the transactions in which I have been engaged, to diminish the consequences of my crime as much as possible, and to offer the only atonement in my power; and, dreadful as every one perceives my present situation to be, I can yet declare, that whatever may await me, the horror cannot equal what I have endured during the years of anticipation of the discovery of my guilt. My Lord, I await your Lordship's sentence in a spirit of respectful submission; and I repeat that I know my crime has been great, but I also feel assured that in the execution of your high functions, and in the judicial censure of my offences, your Lordship will never be unmindful that mercy is the best attendant upon justice, and that while the best of men need to cry aloud for mercy at Heaven's bar, mercy should not be forgotten in the administration of justice upon earth."

Mr. Baron Parke.—Edward

Beaumont Smith, the course you have now pursued in publicly acknowledging yourself guilty of the very serious offence with which you are charged, not only guilty of one crime, but of a long series of crime of a similar character, quite unparalleled, leaves to me only the duty of passing upon you that sentence which the law prescribes for such offences. That duty is to me painful indeed; but it is less painful than if I had been compelled to pass sentence upon you for the same offence a few years ago, for then, indeed, it would have been my duty, notwithstanding anything urged by you in extenuation of your guilt, and notwithstanding any appeal for mercy, to have passed upon you the sentence of death, and, undoubtedly, your life would have been forfeited. The humanity of the Legislature has abolished the penalty of death in such cases, and, heinous as the offence is, and notwithstanding the dreadful consequences which may result from it —consequences which you yourself admit, and of which you appear fully sensible, you are now permitted to retain life; but it must for ever be spent in a foreign land, in servitude, in ignominy, and in disgrace. The duty I have to discharge is at all times most painful, but more particularly so on the present occasion, in having to pass sentence upon a person of your education, one who has always moved in a respectable station in society, one holding a situation of great trust and confidence, but still more so on the member of a family whose name is illustrious in the naval history of this country; still my duty must be discharged. Looking at all the circumstances of the case, and the dreadful consequences which must arise from it, I feel bound to pronounce upon you the severest sentence of the law—that of transportation for life. You have done no harm by the course you have pursued this day; you have done yourself no discredit; I cannot help feeling for you as a man, but as a magistrate I feel bound to censure severely such conduct. It is to be hoped that the statement you have this day made, with respect to the dreadful consequences of crime on the mind and feelings of the perpetrator of it, will have the effect of operating as a warning to others of the fatal consequences which inevitably ensue from a single deviation from the path of rectitude and honour. I can only gather from the depositions before me, and from your own statement, the extent of these transactions; but it is impossible at once to ascertain the dreadful injuries that have resulted, or must eventually result, from your yielding to a wicked impulse. The general injury which has resulted to commercial transactions—the alarm which has been excited in the public mind—the ruin of individuals—the loss of fortune to many—are serious to contemplate. Again, I say, taking all these circumstances into consideration, I feel that I cannot hold out the slightest hope of any commutation of the sentence I feel bound to pass upon you—a sentence which, as you have anticipated, will compel you to spend the remainder of your life as a slave, bereft of all that renders life dear or desirable. It only remains now for me to pass upon you the sentence of the Court, which is, that you, Edward Beaumont Smith, for the felony with which you stand convicted, be transported

beyond the seas, to such place as her Majesty by the advice of her Privy Council shall direct and appoint, for the term and duration of your natural life.

REPORT OF THE COMMISSIONERS.

To the Queen's Most Excellent Majesty.

We, the Commissioners appointed by an act passed in the 5th year of your Majesty's reign, entitled "An Act for appointing Commissioners to inquire as to the issue, receipt, circulation, and possession of certain forged Exchequer-bills," humbly report to your Majesty, in manner following, the evidence which we have taken and what we have found with respect to the several matters into which we are directed by the said act of Parliament to inquire.

In our discharge of the duty committed to us we have never ceased to bear in mind the importance of despatch; but we have aimed with still greater anxiety at the complete elucidation of the subject on which we are engaged. While, therefore, we have allowed our progress to be retarded by no delays that it was possible to avoid, and kept it free even from the interruption that the pursuit of our ordinary duties would have occasioned, we have spared no pains in the exploration of facts; having examined altogether 160 witnesses (of whom many gave their evidence at great length), and inspected the mercantile books by which the parties interested were required to support their statements, and superintended in several instances the preparation of tables calculated to illustrate the course of the transactions.

Finding much time necessarily consumed in occupations like these, we considered from time to time, with great solicitude, how far it would be proper, with a view to the interests of particular claimants, to make certain of the cases before us the subject of a preliminary report, reserving the remainder for a subsequent occasion; but we came with regret to the conclusion that no arrangement of this kind could be usefully made. It appeared to us, in reference to the ultimate objects contemplated by the Legislature in appointing the Commission, and the nature of the questions that might hereafter grow out of it, that it would be unsatisfactory to state the case of any claimant, without at the same time adverting to such facts as tended to throw light on the merits of antecedent parties; and we found that there was no claimant whose case did not, in this point of view, involve that of some other person or persons whose transactions required much time for consideration.

While bent upon the full and effective performance of the whole duty we had to discharge, we endeavoured, at the same time, to confine ourselves with precision to its proper limits. Upon the construction of the act of Parliament we apprehended it to be obvious that the question, whether the instruments referred to us were genuine or not, fell in no case within our province, both because the bills were described in the title of the act of Parliament itself as "forged," and because, with respect to all bills which the claimant was prepared to prove genuine, he had a right capable of being vindicated in the ordinary course of justice, and had no need to resort to our commission. We

also concluded without hesitation that we were not called upon to investigate "the manner of the issue" of the Exchequer-bills mentioned in the Act of Parliament in any sense which would involve an inquiry into the nature of the official regulations of the Exchequer, or the manner in which those regulations had been observed. That inquiry had been already prosecuted under a former commission to whose report no useful addition could have been made; and its result had been declared to be, "that it was in the absence of sufficient internal check, and the incompleteness of general supervision" defects which had, for nearly a century, escaped observation), that the late senior clerk, Mr. Beaumont Smith, had found opportunity for his recent frauds.

Considering, then, "the manner of the issue" of the bills, as regarded the guilty party themselves, and the subsequent "circulation, deposit and possession" of them, and "the case of every holder or owner," to be the only proper subjects for our inquiry, we proceeded first to the examination of some official persons, from whom it was at once ascertained (the fact indeed being otherwise sufficiently notorious) that no other officer except Beaumont Smith had incurred any suspicion of being connected with the fraud, and from whom we also received such further explanations of a general kind as were necessary for our subsequent guidance. We then examined in succession the various parties whom we judged likely, from the notices in the schedule, to be connected with the bills, as present claimants, prior holders, or otherwise, endeavouring to pursue our course continually from the claimants upwards, until we reached the original sources of the fraud; the result of which was, that when we came to examine the earlier parties, we were able to check their evidence by the aid of the information previously obtained. At length, arriving at that point where it became necessary to add the last link to the chain, we judged it, after some deliberation, desirable to obtain the testimony of Ernest Rapallo, the person who had been apprehended as a party to the forgeries, and discharged from prison only in consequence of his consent to give evidence against his confederate, Beaumont Smith. On the service of our summons upon this person, at Calais, where we found him to be resident, he immediately obeyed it (receiving only the assurance, that as far as the law might permit, we would endeavour to secure to him the usual immunities of a witness), and on his attendance we obtained from him some particulars necessary to complete the general outline of the history of the fraud, with such account as he thought fit to give of the property acquired from it by the confederates; and received his consent to our examination of such remnants of that property as were still under his control in this country. The tendency of his evidence was in some respects unfavourable to certain of the parties examined before us, but, in general, it did not bear against them more strongly than the statements received from themselves.

Throughout this series of inquiry we were ourselves the only examiners; for though, at the outset, we made it known that all the parties interested were at liberty

to avail themselves of professional assistance, none of them thought fit to employ counsel, or (with a single and unimportant exception) to be attended by a solicitor; and it gives us pleasure to be able to add, that though the parties were thus brought into immediate contact with us, and had in many instances to sustain examination of a searching kind, and upon points tending to affect their personal character, they never failed to observe the most perfect propriety of demeanour, and always rendered, with the greatest readiness, the accounts which we directed them to prepare.

It seems right further to remark, that through the whole course of the investigation which has been described, we were continually engaged in the search after evidence, as well as in its reception. For though we were indebted to your Majesty's Government for the valuable assistance of Mr. Bush (who had been engaged, under Mr. Maule, in the prosecution of Smith and Rapallo, and suggested to us from time to time some important lines of inquiry), yet, in the main, we had to explore for ourselves the sources of information, and were frequently obliged to call a witness without being aware of the precise points to which he was competent to speak. This consideration will not only serve to account in part for the manner in which our time has been occupied, but will also explain why our examinations could not always pursue an unbroken and methodical course. Under such circumstances, it naturally often happened that after a witness had been once examined we had occasion to summon him again, and sift him further with regard to statements that had been in the meantime made by other witnesses, or statements made by himself, the importance of which had not been at first fully apparent.

In conducting the examinations, the peculiar character of the inquiry induced us also to swerve occasionally from the strict law of evidence, as applicable to the trial of issues arising in the common law courts. Thus we received, without hesitation, the statements of parties as witnesses in their own behalf; and where a correspondence was offered in evidence for the purpose of explanation only, or with reference to points of subordinate importance, we deemed it proper to allow the party to put in copies of his own letters, as made by himself or his clerk, without producing, or proving any endeavour to procure, the originals. We conceived that to enforce the ordinary rule in such cases would tend to no useful object; and, on the other hand, might materially retard the progress of our inquiry. But any deviations from the strict course of proof were permitted with great caution; and, upon points immediately connected with the main subject of inquiry, we observed a greater rigour than on those of a collateral kind. Thus, in putting the claimants to show that they had given value for the bills, we were not satisfied with their own statement on oath, supported by their books, or even by the admission of the party to whom the payment was alleged to have been made, but called upon them to confirm it by such other proof as the case conveniently permitted: for example, where the payment was made through the medium of

a bank, by the evidence of the banker's clerk who entered the transaction in his books.

Having now given the explanations which appeared to be material with respect to our course of proceeding, we shall in the next place, submit to your Majesty a general account of its results, so far at least as regards the principal circumstances connected with the fraud in question.

That fraud related exclusively to the species of Exchequer-bills called supply bills, which, as is well known, have been latterly issued from the Exchequer twice in every year, under the authority of successive Acts of Parliament. The periods of the issue are March and June; and each bill is either paid off or exchanged (at the option of the holder) at the office of the Paymasters of the Exchequer, at the expiration of about a year from its date, the precise period for bringing them in with a view to such payment or exchange being first publicly advertised. It follows, of course, from this, that there are two exchanges of Exchequer-bills in every year, the first in March and the second in June.

These instruments have a blank left for the name of the payee; and, except where that blank is filled up (which is rarely the case), they pass by mere delivery, like a bank-note, and, as in the case of a bank-note, the title of a person who gives valuable consideration for them, without notice or suspicion of fraud, is complete, although they should have been fraudulently obtained by the party from whom he receives them.

The bills of each successive issue are numbered in regular progression, and in no instance are there two in the same issue which bear the same number. They are also signed with the name of the Comptroller-General of the Exchequer (though that signature might, by the established custom which prevailed at the time of the fraud in question, be subscribed either by himself or by the Deputy-Comptroller-General); and, as the principal check against forgery, it is the practice, in issuing these instruments, always to cut them from a counterfoil, by comparison with which their genuineness may at any time be ascertained.

The bills which are the subject of our inquiry under the Act of Parliament (being 377 in number, of which 365 are in the schedule to the act itself, and 12 have been referred to us since the act passed) all purport to be bills of the description above stated, and all emanated through Ernest Rapallo, from Beaumont Smith. The former is a foreigner, but was long resident in this country, and during that period—viz., from the spring of 1836 to the middle of 1841, was in the habit of receiving from Smith (then senior clerk in the Issuing-office of the Exchequer) instruments purporting to be Exchequer-bills, for the purpose of raising money upon them. The bills now the subject of inquiry are of the number of those so received, and being among the later issues, were still in circulation at the time of the discovery of the fraud; the remainder having (as it would seem) been all destroyed (after they had served their purpose) by the parties who issued them.

The bills so received from Smith were all (as confessed by him after his apprehension) forged; and upon his indictment for the forgery

of some of them, he pleaded guilty to the charge, was convicted, and has since undergone the punishment of transportation. With respect to the particular bills now the subject of inquiry (though, as already observed, we have no direct concern with the point of forgery), it may be proper to add, that all those enumerated in the schedule to the Act of Parliament as detained at the Exchequer, and also those which have been referred to us since the act passed, have been compared with the counterfoils, and found not to coincide with them; that the Comptroller-General has also inspected the whole of the former class, and the late Deputy-Comptroller a large number, and that both these officers have, on their examination before us, declared the signature not to be theirs.

The bills now the subject of inquiry all purport to be of the issues of March and June, 1841, and are made out in every case for the sum of 1,000*l*. They are, as to the paper, stamp, and every other particular, genuine, with the exception only of the signature, and that is, in every instance, an imitation, more or less successful, of the signature of the late Deputy-Comptroller-General. We may stop therefore, to remark here, that it was almost impossible that any of these instruments should have awakened (so far as their external appearance was concerned) the suspicion of those to whom they were offered. We are directed by the Act of Parliament to report "whether the holders employed any and what means of inquiry into the genuineness of such documents;" and in obedience to this, we may here take occasion to state, that though, when suspicion arose from collateral circumstances, the documents were in several instances carried up to the Exchequer for examination about the time of the discovery of the fraud, yet in other cases (no suspicion being excited) the holders employed no means of inquiry into genuineness beyond that cursory inspection which was usual on receiving an Exchequer-bill. On the other hand, however, no inspection, though of the closest kind, would, in our opinion, have had any tendency to excite doubt as to the genuineness of the document.

Each of the bills in question is also a duplicate agreeing in number, as well as other particulars, with some other bill; which last has, in many instances, been compared with the counterfoil, and in every such instance has been found to coincide. All the other bills received from Smith were also (as there is ground to believe) duplicates; and the reason for so managing the forgery is evident, for an instrument bearing a wrong number was likely to encounter immediate detection, while, on the other hand, the danger of the alternative plan arose only in the event of duplicates happening to come into possession of the same party.

There were, however, other precautions to which it was equally necessary for the contrivers of the fraud to attend. In raising money on these instruments it was essential to abstain from sale; because, when thus brought into general circulation, there would not only be a great risk of their falling into the hands of persons who had duplicates, but there was a certainty of their being carried at the regular periods of exchange to the

office of the paymasters, where the duplicates also would of course make their appearance, and lead infallibly to detection. The plan adopted therefore, was to raise the money in every case by the deposit of the bill upon loan, and before the next period of exchange came round, to redeem it by payment of the money, or to substitute for it another forged bill of more recent date. This method, it is true, made it necessary to repay in every case (sooner or later) the amount of the money procured, as well as to pay the interest due upon the loan; but the advantage in the meantime derived was the present use of large sums of money, which the confederates endeavoured to employ with advantage in extensive speculations in the stock market, actuated probably by the hope of realising (after the repayment of every loan) large fortunes in the result.

In carrying this scheme into effect, the mode of operation was as follows:—At the commencement of the transactions, and for some years afterwards, Rapallo delivered over the bills received from Beaumont Smith to Angelo Solari, another foreigner resident in this country, between whom and Rapallo there had existed long previously some connexion; and Solari performed the service of raising money upon the bills. This he effected in part through connexions formed by the assistance of Messrs. William and James Morgan, stockbrokers. They introduced him (at a time when their own acquaintance with him, according to their evidence, was but slight and recent) to the banking-houses of Messrs. Ransom and Co., and Jones, Lloyd, and Co., and from the former he obtained large sums of money, from time to time, on the deposit of bills purporting to be Exchequer-bills, but which, in fact, had been received from Smith, He obtained, besides, similar loans from Messrs. Price and Co., bankers, but the precise medium of his introduction to them does not appear. He formed, also about the same period, a connexion with Messrs. William and James Morgan themselves, in the course of which he obtained, through their agency as brokers, very numerous, frequent, and large advances, the dates and amounts of which, and the average rates of interest charged by the lenders (exclusive of any commission to Messrs. William and James Morgan), are set forth in the account, pp. 315 to 321. The nature of these dealings (which are explained at large in the evidence of Mr. W. Morgan, Mr. E. Morgan, and Mr. Cook, pp. 339 to 355) may be compendiously stated as follows:—Solari brought them, from time to time, instruments purporting to be Exchequer-bills (but, in fact, received from Smith); and on the deposit of these in their own names, as the apparent borrowers (according to the usual custom of stockbrokers employed to procure loans), they obtained large sums of money, out of which, as from time to time directed by Solari, they purchased for him foreign bonds or shares, or paid losses incurred by him in the stock-market. They also, from time to time, paid over to him large sums of money, and paid off the principal and interest which became due on the loans; and received from him, on the other hand, large sums of money, and sold foreign bonds for him, and credited the same to his account. For these services they charged

the usual commission or brokerage, so far as the stock transactions were concerned, and were entitled by agreement, as Mr. W. Morgan asserts, to have also received a commission on the loans; but this latter commission was, in point of fact, never charged or paid, owing, as he alleges, from a laxity in the mode of carrying on the account. These dealings lasted until the death of Solari, which took place in October, 1840, after which, Rapallo himself (who had previously done business with Messrs. W. and J. Morgan for some time as Solari's deputy during his illness) was introduced to them by his widow and executrix as her friend, whom she wished to continue the transactions carried on by her husband; and between Rapallo as her agent, and Messrs. W. and J. Morgan, the same course of dealing was from that time accordingly pursued that has been already described in relation to Solari, and it terminated only on the public discovery of the fraud, which took place, as hereafter more particularly stated, in October, 1841. During the whole of these transactions with Solari and Rapallo, Messrs. W. and J. Morgan profess themselves to have had no knowledge whatever (beyond the slight introduction of Solari above noticed) of the mode of life, property, or connexions, of either of these parties, and to have received no specific account from them of the person or persons for whom they were acting; though it is stated by Mr. W. Morgan that he was told at the outset by Solari that "he had a friend who was a large capitalist, and who would lend him money." They also admit that they were never employed either by Solari or Rapallo to buy or to sell an Exchequer-bill; and allege that they themselves believed the whole of the bills on which the loans were obtained to belong to the rich friend of whom Solari had spoken, but of whose name they were never informed. This latter statement, of course, implies that they also believed the confidence reposed in Solari by his rich friend to have been transferred, upon his death, to his widow; for they profess to have considered Rapallo as having always acted in the capacity of her agent only.

Messrs. W. and J. Morgan, however, were not the only parties with whom Solari and Rapallo carried on this kind of connexion. They had a similar account with Mr. W. Mariner, who held at the time the situation of Secretary to the National Brazilian Mining Company, and who had done business at a former period on the Stock-Exchange. Mr. Mariner having some acquaintance, as he states, with Solari (though without knowledge of his pursuits, except that he had speculations in the funds), applied to him, as he alleges, for part of his brokerage business, and was accordingly employed by him, from April, 1838, to obtain loans on the deposit of Exchequer-bills: and Mr. Mariner accordingly entered into arrangements on the subject with Mr. F. T. De Berckem, a stockbroker and member of the Stock-Exchange, by whose intervention (as agent nominally for Mr. Mariner, but with knowledge that the latter was employed by Solari and Rapallo) all the loans were procured, Mr. Mariner and Mr. De Berckem dividing the remuneration, which was at the regular and customary rate of half per

cent. per annum, between them. Through this channel, in addition to that of Messrs. W. and J. Morgan, Solari, and (after him) Rapallo, succeeded in depositing from time to time, with different parties, large masses of the bills received from Smith; and conducted at the same time, through the same medium, extensive speculations, by way of purchase and otherwise, in the stock and share market. The nature of all these dealings will be fully collected from the accounts, pp. 356 to 358, and 417 to 425, and Mayo's evidence, pp. 325 to 329; but they are so similar to those which have been already described, in the case of Messrs. William and James Morgan, that to dwell upon them longer in this place would only lead to wearisome repetition. The most material points of difference seem to be, that Messrs. Mariner and De Berckem charged commission on the Exchequer-bill loans, as well as on the stock transactions; and that though they profess to have known nothing of Solari, except as above stated, nor of Rapallo, except as the agent of Solari, they represent the former as giving a somewhat more specific account of his position than he is stated to have done to Messrs. W. and J. Morgan, and to have asserted that he was "connected with parties in Madrid and Paris, who were carrying on a large speculation in Spanish and other stocks." Messrs. Mariner and De Berckem admit, however, that they were never employed in any instance by Solari or Rapallo, to sell an Exchequer-bill; and that they never received any information as to the manner in which the bills deposited were procured.

These transactions of the confederates with Messrs. W. and J. Morgan on the one hand, and Messrs. Mariner and De Berckem on the other, would appear to have constituted the principal means by which they carried the fraud into effect. We find that the advances procured by Messrs. W. and J. Morgan, amounted in the aggregate from first to last to about 420,000*l.*, and those by Messrs. Mariner and De Berckem to about 465,000*l.*; and that there were bills in the hands of these parties or their depositaries, at one and the same period of time (namely, at the discovery of the fraud), to the amount of 330,000*l.*; of which bills to the amount of 161,000*l.* had come from Rapallo to the hands of W. and J. Morgan, and bills to the amount of 161,000*l.* to those of Messrs. Mariner and De Berckem. It is also important to remark that among the transactions to which the 161,000*l.* relates, there is one which involved deposits to a very large amount simultaneously; for it appears on the evidence of Mr. W. Morgan, that on the 13th of October, 1841, Rapallo being then indebted to him in the amount of 70,000*l.* and upwards, applied to him for further advances, to the extent of 60,000*l.* more; which Mr. Morgan consented to procure, and, in fact, procured accordingly. There is, however, no proof that Messrs. W. and J. Morgan and Messrs. Mariner and De Berckem, though both so largely concerned with bills proceeding from the same source, had, as regards those bills, any knowledge of, or connexion with, each other.

The evidence before us contains many additional particulars with respect to the parties just men-

tioned, which deserve to be well considered, but which cannot be properly appreciated without perusal of the examinations. There are, however, certain circumstances which occurred in the course of their transactions respectively, to which we think it right to invite attention in this place.

First, it occurred with respect both to Messrs. W. and J. Morgan, and to Messrs. Mariner and De Berckem, some considerable time before the public discovery of the forgeries, to have bills placed in their hands respectively, by Rapallo, bearing a wrong rate of interest; and Mr. W. Morgan admits that he became aware (in his own case) of the fact, being informed of it some time after its occurrence, by his clerk; but states, that he did not consider it as a circumstance of suspicion. In the case of Messrs. Mariner and De Berckem it also appears that the fact was communicated to both those parties; but Mr. De Berckem's clerk (Mr. Mayo), who discovered it, had a conversation on the subject with other persons, the particulars of which are stated in the evidence, and which may have had the effect, very naturally, of leading both the clerk and his employer to consider the circumstance as immaterial. As to Mr. Mariner, he states a conversation between himself and Rapallo on the subject; and that in answer to his own observation, that it was "a very curious thing," Rapallo remarked "that they often made mistakes up at the office." He asserts, however, that he conceived no suspicion or dissatisfaction at the circumstance. On the other hand, it is alleged by Rapallo, that Mr. Mariner was "in a very great rage" on this occasion, and wanted to write to the Chancellor of the Exchequer, to complain of it as an official irregularity, but that he was prevailed upon not to do so by a representation which Rapallo made him that he "might be deprived of the agency if there was any stir about it." The manner in which this statement is met by Mr. Mariner will appear in the examination, Q. 7,085—7,098.

Another circumstance which occurred in the course of the transaction of Messrs. Mariner and De Berckem was as follows:—Some of the bills received from Mr. Mariner had been deposited by Mr. De Berckem with Messrs. Bennison and Lennard, as security for money advanced by the latter; and on the expiration of the loan, in the latter end of 1840, or the beginning of 1841, he received back (as was supposed) the same bills he had left in deposit; but after a short period he discovered that eleven of them were different bills from those which had been deposited (though agreeing in dates and amount), the substitution having been made by mistake. Upon this discovery he reclaimed the original bills from Messrs. Bennison and Lennard, but they were not in a condition to return them, having in the meantime passed them away by inadvertence to another party, Mr. Cutting. Mr. De Berckem upon this applied to Mr. Cutting, but found that he had negociated them in his turn to a party by whom they had been sold. Mr. De Berckem then conferred on the subject with his brother, Henry De Berckem (who occasionally assisted him in business), and expressed his anxiety to recover his bills; and upon the suggestion of the latter, that it was possible to trace them out,

requested him to do so, and promised to remunerate him for his trouble. Mr. H. De Berckem accordingly undertook the search, and with great difficulty succeeded; and received from Mr. De Berckem for this service the sum of 50*l.*, which was charged in account to Mr. Mariner, and by him charged in turn to Rapallo. A further statement of these circumstances will be found at *Q.* 2,537, 2,762, 3,150, 5,821, 5,597, 5,831; the explanation given by De Berckem at *Q.* 5,788, 5,789; and that by Mariner, *Q.* 6,336. It may, perhaps, be material to remark, that at the time of the recovery of these bills the period for their exchange was close at hand, and that they had been actually advertised.

We may now pass from the manner in which the fraud was carried on to the circumstances which attended its discovery. On the 19th of October, 1841, Mr. De Berckem employed a person to borrow 10,000*l.* for him on the deposit of Exchequer-bills, for three months, at 6 per cent.; and this appeared so remarkable in all its circumstances to a member of the Stock Exchange, to whom application was made for the loan, and who had just lent money on a similar deposit at 4 per cent., that he conferred upon it with several parties, and after reflecting on the whole that had come to his knowledge, thought it right to enter into communication on the subject with the Chancellor of the Exchequer. This led to further inquiry, and to the discovery that certain bills deposited by Mr. De Berckem on loan in 1839 (and of which the numbers had been preserved by the lender) were forgeries. Under these circumstances, Mr. De Berckem was sent for by the Chancellor of the Exchequer, and gave up some of the bills then in his hands; and these being ascertained, by comparison with the counterfoils, to be forged, Mr. Smith was, on the 25th of October following, taken into custody; from which period it may consequently be considered that the existence of the fraud became fully known to the public.

On the 29th of October following an official advertisement was published, announcing that bills sent into the Exchequer would there be examined with their counterfoils, in order to ascertain their genuineness. A large portion of the forged bills were, in compliance with this notice, sent in, and examined, and detained, as not agreeing with the counterfoils. Others were kept back by the holders under circumstances which appear in the correspondence set forth in various parts of the evidence; but to this subject we do not feel it necessary to advert more particularly, there being in our opinion (formed upon mature consideration of the evidence) no reason for imputing any improper motive to these parties, however questionable their course may have been in point of discretion.

Other portions of the forged bills had, prior to the notice in the *Gazette*, but after the fraud had in some measure become public, been carried in to the Bank of England to be funded, there happening to be at that time a funding of Exchequer-bills in operation; and it appears that almost the whole of the forged bills so dealt with were sent in by persons who by that time had had reason to entertain doubts of their genuineness, having regard to the quarter

whence they came. This carries with it, on the first impression, an unfavourable aspect; but, after taking much pains to probe the matter, we are fully convinced, upon the evidence, that the parties taking this course were conscious of no impropriety in the proceeding. There was no other mode until the next exchange, in March, of tendering the documents to your Majesty's Government for payment; and they conceived themselves to have a right, under such circumstances, to avail themselves of the opportunity of making the tender in that way. As to the result of the experiment, it varied according to the period of time at which the bill was brought into the Bank. In the afternoon of the 27th of October a letter had been received by the Deputy-Governor from the Chancellor of the Exchequer, suggesting that more than common vigilance should be used with regard to any Exchequer-bills that might be presented; and, in compliance with this intimation, all bills brought in after the 27th were detained and sent up to the Exchequer for inspection, so that the operation of funding, with respect to the forged bills, was in every case ultimately suspended. But, from the 23rd to the 27th inclusive, such forged bills as were presented were actually received by the Bank, and converted into stock in the usual course; and being afterwards sent up to the Paymaster's-office (as the law requires), were there also accepted as genuine, the Bank receiving from the Paymasters the discharge usually given in such cases. In every instance, however, in which stock was thus obtained, a letter has been since sent by the Bank of England to the party who funded the bill, apprising him that it would not be received in payment of his subscription.

Having thus endeavoured to lay before your Majesty, in a summary but comprehensive form, the general history of the fraud in question, we shall devote the remainder of our report to the specific consideration of the several bills which are the subject of the present inquiry, and of the cases of their respective holders. And, first, we have to remark, that the great majority of these bills are the subjects of claim (so far, at least, as forged instruments are capable of being so considered), that is, there are persons who claim to hold them either as their absolute property, or as securities for money advanced; but that there are other bills which no person now claims to hold, though some mention has been made of expenses incurred by the party in whose possession they were found, and of his intention to memorialize your Majesty's Treasury on that subject. We shall advert in the first place, and principally, to the former class of bills, and shall trace each bill or set of bills (as the case may be) in a retrospective series, commencing with the claimant and ending with Rapallo.

[The Report proceeds, accordingly, to investigate the circumstances under which the successive holders came to the possession, and to distinguish the different degrees of innocence or criminality of each. It is needless to give these details, as the Report itself may be readily referred to by any reader desirous of the particular information.]

THE NIGER EXPEDITION.

The great measure of Slave Emancipation in the British Colonies, the large sum appropriated to the extinction of that gigantic crime, and the other indirect sacrifices to which the British nation cheerfully submitted as a consequence of that measure, have given eminent proof that the people of this country are not only universally animated by a conviction of the iniquity of the system, but were resolved, by every means, active not less than passive, to wipe away the stain from every part of the British polity and dominion. To a people thus possessed of the will to do and to suffer in this great matter, it became but a natural consequence that, having proceeded thus far, they should extend their views, and by striking at the root of the evil, persuade or compel those nations whom interest or convenience yet induced to hold their fellow-beings in bondage, by every means that international law would permit, to forbid the participation of their subjects in the inhuman traffic, and if impracticable to induce them to take steps equally decisive for the abolition of Slavery itself, yet to abolish that more detestable and inhuman part of it, the purchase of Slaves on the coast of Africa, with its accompanying horrors. The British Government, sincerely convinced in itself of the original wickedness of the system, as well as urged to the execution of the duty by that portion of the public, which from benevolent and religious motives takes a peculiar interest in the subject, and supported by the general opinion of the people, has for a long period exerted itself strenuously to procure the destruction of the system, and where international rights interfered to thwart their endeavours, at least to mitigate its horrors. Thus, a large armament cruizing perpetually on those coasts of Africa on which the Slave-trade chiefly prevails, and traversing the tracks of vessels engaged in the traffic, has been for many years maintained at a vast expense, and encouraged by extensive bounties; while treaties have been set on foot and pressed by granting or withholding advantages, whenever opportunity seemed to offer in our negociations with Slave-holding states. By these means much progress has been made in this Christian warfare, and large rights of interference and prevention acquired. Unhappily, however, these benevolent views are in a great degree thwarted by unforeseen consequences. The Portuguese and Spanish nations in South America, the southern provinces of the United States, Cuba, and other portions of the American world, are too deeply interested in Slavery to take a sincere part in the designs of the British Government; and while the latter have succeeded, in most instances, in pressing upon the *governments* treaties for the abolition of that part of it which consists in the importation of Africans, they are too weak to compel, and the *people* too interested to assist in the determination of the detestable trade—thus, the proprietors and cultivators of these countries still continue to tear

the unhappy Africans from their homes, and the exertions of the British cruizers have only had the effect of raising the value of such slaves as are actually landed, so that the profits of the slave-dealers are increased so enormously that the trade is carried on with a perseverance and recklessness that defy all efforts to prevent it—with this additional evil, that the illegality of the trade and the danger of conducting it, have given rise to a cruelty in procuring, and a disregard of life in carrying the unfortunate captives, which were not found while the trade was not subject to such chances—the sole object of the dealers being to run so many vessels crowded with slaves, that some, at least, must escape the vigilance of our cruizers —it being calculated that if one in three escape capture, or survive the horrors of the voyage, the speculation will prove enormously lucrative; and it seems sufficiently probable that not less than one hundred thousand human beings fall victims *annually* in the mere exportation.

The British Government has, moreover, carried its interference still nearer the origin of the evil, by our colonies on the western coast of the continent of Africa; which being placed in the centre of those Negro kingdoms whose rulers were the most active in warring on their neighbours for the purpose of selling their prisoners, have by civil force on the one hand, and moral influence on the other, put an end to the Slave-trade, not only along the shores actually occupied, but along a still greater extent possessed by native rulers; and it has still further extended its beneficent exertions among the petty kings not under the fear of the colonial governors, partly by presents, partly by encouraging trade and the wealth to be derived from it: nor has the Government been at all chary of its dignity in promoting these Christian aims, the sovereigns of these realms knowing well that their real dignity could suffer no tarnish by entering into treaties offensive and defensive, even with such naked potentates as King Boy and King Brass, upon such humane designs.

Extensive, however, as are the advantages which have been achieved by these means, the desired results are necessarily far from being obtained—the immense extent of open coast, and particularly the innumerable river channels in the Bight of Benin, which it is equally impracticable to hold or to watch, and not less the possessions of the Portuguese and other nations directly interested in the continuance of the trade, and whose participation is connived at by their governments, have all combined to render the efforts of the British Government ineffectual.

Several societies, containing a large number of persons of the highest talent, rank, and fortune, for the express purpose of watching over the interests of the Africans, whether now in bondage, or as yet possessed of the inalienable birthright of mankind, have been formed in England, to whose unceasing vigilance and disinterested exertions the above-noticed proceedings are mainly owing—their connexions have been spread into the remotest districts, carried into the Continent of Europe, and raised advocates even in the very states where slavery exists, and where persecution follows the

avowal of any sympathy with the coloured races: in short, all nations, all conditions of men, and all forms of religious persuasion, have met in unanimity upon this common ground of humanity.

To one of these associations our subject particularly refers—The African Civilization Society—This society, which had for some time highly distinguished itself in the benevolent exertions above specified, had, in the year 1839, propounded through one of its most distinguished members, Sir Fowell Buxton, a very enlarged scheme for putting an end to the Slave-trade, by promoting the civilization of Africa, by elevating the African mind, and developing the capabilities of the African soil; in which Africa itself should become the principal scene of labour, and the Africans the permanent agents. Having communicated these views to her Majesty's Government, they received its most cordial concurrence and active assistance. In December, 1839, Lord John Russell addressed a letter to the Lords Commissioners of the Treasury, in which, after recapitulating the fruitless exertions of the Government and the cruelties which still prevailed, his Lordship proceeded to state that her Majesty's confidential advisers were compelled to admit the conviction that it was indispensable to enter upon some new preventive system, calculated to arrest the foreign Slave-trade in its source, by counteracting the principles by which it is now sustained. Although it might be impossible to check the cupidity of those who purchase slaves for exportation from Africa, it might yet be possible to force on those by whom they are sold, the persuasion that they are engaged in a traffic opposed to their own interests when correctly understood.

With this view it was proposed to establish new commercial relations with those African chiefs or powers within whose dominions the internal Slave-trade of Africa is carried on, and the external Slave-trade supplied with its victims. To this end the Queen had directed her Ministers, to negotiate conventions or agreements with those chiefs and powers, the basis of which conventions would be, first, the abandonment and absolute prohibition of the Slave-trade; and, secondly, the admission for consumption in this country, on favourable terms, of goods the produce or manufacture of the territories subject to them. Of those chiefs, the most considerable rule over the countries adjacent to the Niger and its great tributary streams. It was therefore proposed to dispatch an expedition which should ascend that river by steam-boats, as far as the points at which it receives the confluence of some of the principal rivers falling into it from the eastward. At these, or at any other stations which might be found more favourable for the promotion of a legitimate commerce, it was proposed to establish British factories, in the hope that the natives might be taught that there are methods of employing the population more profitable to those to whom they are subject, than that of converting them into slaves, and selling them for exportation to the Slave-traders.

In these views the African Civilization Society (by whom, indeed, they were suggested) fully concurred, and the expedition mentioned in Lord John Russell's letter

was put in preparation, with the further object on the part of the Society, of forming such an establishment in the interior of Africa, as would spread a knowledge of the arts of civil life among the Africans, and thus necessarily produce a mighty change in the habits and ideas of the natives, and chiefly by forming an agricultural settlement in some well-selected locality, from which, as from a centre, the knowledge of that first step in civilization might be extended over a vast tract of that continent.

The discovery of the identity of the great central rivers of Africa, generally known as the Niger, but now distinguished as the Joliba or Quorra, and the Chadda, with those innumerable channels known to navigators as flowing into the Bight of Benin, and of which the latter were thus ascertained to be the embouchures, gave a local direction to these schemes; and it was resolved that the contemplated expedition should explore these rivers from their mouths, and having selected a fit spot, should there form the projected settlement. The locality fixed upon was that point formed by the junction of the Quorra and Chadda, about 300 miles from the sea, which was understood to afford every advantage of soil and climate, while being placed at the apex of a triangle of which the sea was the base, the stream of knowledge would immediately descend among those tribes who were chiefly infamous for Slave-dealing, and the commerce necessarily produced by such an European settlement passing through their territories, and the conjoined influence of the British cruizers on the coast, would both induce and compel the natives to adopt other and more humane views of their interest.

Accordingly, the preparations for the expedition were set on foot by the Government and the Society respectively, with the greatest activity. As the purpose and the nature of the undertaking were new, the preparations likewise were of an unusual description. Three steam-boats of iron, adapted for the nature of the voyage, were ordered to be built by Mr. Laird, an eminent builder of Liverpool, himself an African traveller of reputation, and therefore well acquainted with the necessities of the expedition. Two of these vessels, the *Albert* and the *Wilberforce*, were of large dimensions, being 136 feet in length, 27 feet in width, of 440 tons burden, and drawing with their engines, stores, fuel, and crew, no more than 4 feet 9 inches water, and fitted each with two engines of 35-horse power. The smaller, named the *Soudan*, intended for preliminary exploration, of 110 feet length, 22 feet width, 250 tonnage, and only 3 feet draught, and fitted with one engine of 35-horse power. These vessels were all well armed, fitted with all stores most appropriate to the country and climate, and manned with a force of 155 officers and men. As repairs or refits to vessels of this description in such a country were manifestly impossible, the engines were all made of precisely the same details, as were the extra stores, so that in the event of accident, any damaged or broken machinery might be instantly replaced—the stores and rigging were in like manner identical—the vessels were amply supplied with medicines, and fitted with apparatus by which

a constant supply of fresh and purified air might be ensured—filtres for the water; and, in short, with every contrivance by which the health of the crews might be promoted and the success of the expedition, so far as human foresight could prevent, rendered certain.

The command of the expedition was intrusted to Captain Henry Dundas Trotter; the other officers in command were Commanders William Allen and Bird Allen; all officers well known for their enterprise and prudence, well acquainted with the African coast, and deeply interested in the views which had put the expedition into motion. On the part of the Society, neither pains nor expense were spared to make the success of the expedition commensurate with the hopes of its authors. A botanist, a geologist, a miner, a naturalist, a horticulturist, and a draughtsman, were severally engaged by the Society for the service. Vocabularies of the chief languages of Western and Central Africa, as complete as circumstances would admit,—together with printed lists of inquiry into all subjects of interest and importance,—and special directions, were prepared and put into their hands.

On the part of the African Agricultural Association, a supply of farming implements, stores, seeds, &c., was embarked, and the care of this property, as well as the charge of superintending the model farm, to be experimentally established up the Niger, was entrusted to a gentleman experienced in the process of West-Indian cultivation.

Thus equipped and provided, and attended by the best wishes, and by the prayers, of thousands, the expedition left this country under the most favourable auspices; and having reached the coast of Africa in safety, proceeded to make up its complement of coloured persons in accordance with the original orders. The number on board the several vessels amounted to 302, of whom 162 were whites; 120 were Kroomen and other Africans; and twenty were black labourers for the farm, from Sierra Leone and Liberia.

The expedition entered the Nun branch on the 15th of August, and after a delay of six days at the mouth of the river, occasioned by the necessity of repairing the rudders, they commenced their ascent; on the 21st, they reached Eboe, without sickness, and concluded a treaty with Obi Ossai, the chief of that country, on the basis proposed by her Majesty's Government.

From thence they proceeded to Iddah, which they reached on the 2nd of September; and there the first symptoms of the "river fever," as it is called in the despatches from the expedition, appeared.

With the Attah of Iddah they concluded a treaty similar to that with Obi Ossai, and further arranged with the Attah for the purchase of a tract of land at the confluence of the Quorra with the Chadda, at a distance of 270 miles from the sea. Having reached this spot, the land was made over to them by accredited agents, and the site of the model farm being chosen at Mount Stirling, the stores were disembarked, and the business of the settlement immediately commenced. Nothing could exceed the kindness of the

reception given both by chiefs and people during the whole of this passage; and at this spot in particular, the natives not only welcomed the formation of the settlement, but volunteered their assistance, in the labour of cultivation, for wages which did not amount upon an average to threepence a day. Having arrived at the point of permanent location, and landed that portion of their crew and stores appropriated to the settlement, the steamers proceeded to investigate the two rivers which here unite, the *Wilberforce* entering the Chadda, and the *Albert* the Quorra. Disease, however, put a stop to the further progress of the expedition. The ravages of the fever soon became alarming. On the 19th, the *Soudan* returned with the sick to the sea. Fortunately, on reaching the mouth of the Nun river, she fell in with her Majesty's ship *Dolphin*, to which she transferred the surviving invalids, thirty-six in number, of whom eight died immediately, twenty-two having already fallen victims to the climate. The accounts of the expedition she brought were most disastrous; the force was reduced one-third, and the rest were so disheartened, that little hope of success remained; the blacks were the first to fall a prey to sickness on entering the river; of the Europeans on board the *Wilberforce*, fifty in number, not more than four or five were able to attend to duty, and the condition of the *Albert* was as deplorable.

On the 21st, the *Wilberforce* was compelled to abandon the proposed ascent of the Chadda, and to follow the *Soudan*. The *Albert* still pursued her course up the Quorra, and on the 28th reached Egga, fifty miles above the confluence, and 320 from the sea. Here the almost universal sickness of the European officers and seamen, necessarily prevented her further progress. On the 5th of October, the *Albert* began to descend the river; on the 9th she repassed the model farm, and finding all the Europeans ill, took them on board, leaving none but coloured persons at the settlement.

On the 12th, she again reached Eboe, and was received with the kindest attention by King Obi. In the seaward voyage from the 5th to the 13th of October, Dr. Mc William, the only medical officer who was capable of attending to the sick, voluntarily and cheerfully performed the further duty of steering the ship; and Dr. Stanger, the geologist, who, as such, was a mere passenger, undertook with equal energy the office of working the engine; and both were providentially strengthened to complete their new and untried work. On the 13th, the *Ethiope* steamer, under the command of Captain Becroft, who had most generously ascended the river for the purpose of rendering assistance to the *Albert*, met and conducted her safely to Fernando Po, where the *Wilberforce* had arrived on the 1st of October: the sufferers on board the *Soudan* having been previously conveyed to the Isle of Ascension.

The following lists contain an abstract of the deaths of officers and men belonging to the expedition, after the departure of the vessels from England: and a statement of the number of days spent by each vessel in the Niger.

	ALBERT.				WILBERFORCE.				SOUDAN.				TOTAL.
	Officers.	MEN.		TOTAL.	Officers.	MEN.		TOTAL.	Officers.	MEN.		TOTAL.	
		White.	Coloured.			White.	Coloured.			White.	Coloured.		
Coast fever . .	..	..	..	..	..	..	1	1	..	..	..	..	1
River fever . .	7	12	..	19	1	6	..	7	5	8	..	13	39
Effects of climate on worn out constitutions . .	..	2	..	2	..	..	..	..	..	..	..	..	2
Apoplexy . . .	..	..	..	..	..	..	1	1	..	..	..	..	1
Casualties . . .	..	2	1	3	..	1	...	1	..	1	..	1	5
	7	16	1	24	1	7	2	10	5	9	..	14	48

	ALBERT.	WILBERFORCE.	SOUDAN.
Number of days at the mouth of the River, within the Bar	8	9	9
Number of days up the River . .	56	36	31
Total number of days in the River	64	45	40

The death of Commander Bird Allen was, even amidst such an amount of suffering, the subject of the greatest regret: his high qualifications as an officer, his benevolent disposition and sincere piety, had endeared him to a large circle. The other officers who fell victims to this unfortunate expedition, were Mr. Harvey, the master, assistant-surgeons Woodhouse and Nightingale, and Mr. Willie, mate, of the *Albert;* Messrs. Wakeham, purser, and Stenhouse, mate, of the *Wilberforce;* Messrs. Marshall, surgeon, Collman, assistant-surgeon, and Waters, purser, of the *Soudan;* Messrs. Willmett, clerk, Wolfe and Kingdon, schoolmasters, and Dr. Vogel, botanist, attached generally to the expedition.

The mortality which has attended this undertaking is the more remarkable, that Captain Becroft has been on several trading expeditions up the river in the *Ethiope*, without experiencing similar disasters. During a voyage of three months' duration he lost but one white man; and on another, but three men and two boys, notwithstanding that he was detained a long time in an apparently unhealthy spot, by the state of the river.

As to the subsequent proceedings of the survivors, it is sufficient to state, that, undeterred by these calamities, they were anxious to

risk their lives again in pursuing the expedition, but the prudence of the authorities at home interfered, the men left at the settlement were withdrawn, and the design totally abandoned. From an expedition so eminently disastrous at its very outset, but little advantage could possibly be derived. A more accurate knowledge of the navigation of the river, and a more intimate acquaintance with the habits, disposition, and dialects of the natives on its shores are the sole results, —a small amount of knowledge for such a fearful sacrifice!

The African expedition will nevertheless remain a lasting memorial of indefatigable zeal and disinterested exertion on the part of its projectors, and of the sincerity of her Majesty's Government, in its endeavours to put an end to the horrors of the Slave-trade, and add another wreath, though a sad one, to the British nation, in its endeavours to extend freedom and civilization to the oppressed Africans.

PATENTS.

JOHN BUCHANAN, of Glasgow, coach-builder, for certain improvements in wheel carriages, whether for common roads or railways.

William Newton, of Chancery-lane, civil engineer, for certain improvements in the rigging of ships and other navigable vessels.

Francis Burdett Whitaker, of Royton, Lancaster, cotton-spinner, for certain improvements in the machinery or apparatus for drawing cotton and other fibrous substances, which improvements are also applicable to warping and dressing yarns of the same.

Thomas Robert Sewell, of Carrington, Nottingham, lace-manufacturer, for certain improvements in obtaining carbonic acid from certain mineral substances.

William Henry Kempton, of Pentonville, gentleman, for improvements in lamps.

Henry Gunter, of Cullum-street, Fenchurch-street, merchant, for improvements in preserving animal and vegetable substances.

Henry Bessemer, of Perceval-street, Clerkenwell, for a new mode of checking the speed of, or stopping, railroad carriages under certain circumstances.

William Lacy, of Birmingham, agent for certain combinations of vitrified and metallic substances, applicable to the manufacture of ornaments and the decoration and improvement of articles of domestic utility, and of household furniture, also applicable to church windows and ship lights.

John Barwise, of St. Martin's-lane, chronometer-maker, and Alexander Bain, of 35, Wigmore-street, Cavendish-square, machinist, for improvements in the application of moving power to clocks and time-pieces.

Pierre Armande le Comte de Fontainemoreau, of Skinner-place, Size-lane, for an improved machinery for carding and spinning wools and hairs, which he titles "Filo Finisher."

John Loach, of Birmingham, brass-founder, for certain improvements in castors, applicable to cabinet furniture and other purposes.

William King Westley, of Leeds, flax-machinist, for certain improvements in carding, combing, straightening, cleaning, and preparing for spinning hemp, flax, and other fibrous substances.

John Barber, of Manchester, engraver, for certain improvements in machinery for the purpose of tracing or etching designs or patterns on cylindrical surfaces.

Angier March Perkins, of Great Coram-street, Middlesex, engineer, for improvements in apparatus for heating by the circulation of hot water, and for the construction of pipes or tubes for such and other purposes.

William Hill Darker, and William Hill Darker, jun., both of Lambeth, engineers, and William Wood, of Wilton, carpet manufacturer, for certain improvements in looms for weaving.

William Currie Harrison, of Newland-street, Pimlico, engineer, for an improved turning-table for railway purposes.

Charles Schafhaeutl, of Swansea, Doctor of Medicine, Edward Oliver Manby, of Parliament-street, civil-engineer, and John Manby of the same place, civil-engineer, for improvements in the construction of puddling, balling, and other sorts of reverberatory furnaces, for the purpose of enabling anthracite stone coal or culm to be used therein as fuel.

Joseph Bunnett, of Deptford, engineer, for certain improvements in locomotive engines and carriages.

John Cartwright, of Loughborough, manufacturer, Henry Warner, of the same place, manufacturer, and Joseph Haywood of the same place, frame-smith, for improvements upon machinery commonly called stocking-frames or frame-work-knitting machinery.

James Thorburn, of Manchester,

mechanist, for certain improvements in machinery for producing knitted fabrics.

William Ryder, of Bolton, roller and spindle-maker, for certain improved apparatus for forging, drawing, moulding, or forming spindle-rollers, bolts, and various other like articles in metal.

William Henry Fox Talbot, of Locock Abbey, Wilts, esq., for improvements in obtaining pictures or representations of objects.

James Whitelaw and George Whitelaw, engineers, of Glasgow, for a new mode of propelling vessels through the water, with certain improvements on the steam-engine when used in connection therewith, part of which improvements are applicable to other purposes.

James Ransome and Charles May, of Ipswich, machine-makers, for improvements in the manufacture of railway-chairs, railway and other pins and bolts, and in wood fastenings and trenails.

George Edward Noone, of Hampstead, engineer, for improvements in dry gas meters.

George England, of Westbury, Wiltshire, clothier, for improvements in machinery for weaving woollen and other fabrics, and for twisting, spooling and warping woollens, also for improvements in the manufacture of woollen doeskins.

John Rand, of Howland-street, gentleman, for certain improvements in machinery for the manufacture of framework knitting or hosiery.

John William Neale, of William-street, Kennington, engineer, and Jacque Edouard Duyck, of Swan-street, Old Kent-road, commission agent, for certain improvements in the manufacture of vinegar, and in the apparatus employed therein.

Benjamin Smith, of Stoke Prior, near Bromsgrove, butcher, for an improved apparatus for making salt from brine.

Anthony Todd Thomson, of Hind-street, Manchester-square, doctor of medicine, for an improved method of manufacturing calomel and corrosive sublimate.

Thomas Clark, professor of chemistry, in Marischal College, Aberdeen, for a new mode of rendering certain waters (the water of the Thames being among the number) less impure and less hard for the supply and use of manufactories, villages, towns, and cities.

Joseph Maudslay, of Lambeth, Surrey, engineer, for an improvement in the arrangement and combination of certain parts of steam-engines, to be used for steam navigation.

Laurence Kortright, of Oak Hall, East Ham, Essex, esq., for certain improvements in treating and preparing the substance commonly called "White Bone," and the fins and such like other parts of whales, and rendering the same fit for various commercial and useful purposes.

Joshua Field, of Lambeth, engineer, for an improved mode of effecting the operation of connecting, and disconnecting, from steam-engines, the paddle-wheels, used for steam navigation.

Anthony Theophilus Merry, of Birmingham, refiner of metals, for an improved process, or processes for obtaining zinc and lead from their respective ores, and for the calcination of other metallic bodies.

David Napier, of Mill Wall, engineer, for improvements in propelling vessels.

Achille Elie Joseph Sovitas, of George-yard, Lombard-street, merchant, for improvements in apparatus for regulating the flow of fluids. (A communication.)

Morris West Ruthven, of Rotherham, engineer, for a new mode of increasing the power of certain media, when acted upon by rotary fans or other similar apparatus.

Goldsworthy Gurney, of Bude, Cornwall, esq., for improvements in the production and diffusion of light.

Alexander Parkes, of Birmingham, artist, for certain improvements in the production of works of art in metals by electric deposition.

James Furnival, of Warrington, currier, for an expeditious mode of unhairing, mastering, and tanning various descriptions of hides and skins.

William Jenkinson, of Salford, machine-maker, for certain improvements in machinery for preparing and spinning flax, silk, and other fibrous substances.

John George Bodmer, of Manchester, engineer, for certain improvements in the construction of screwing-stocks, taps, and dies, and certain other tools or apparatus, or machinery, for cutting and working in metals.

James Anderson, of Newcastle-upon-

Tyne, engineer, for improvements in windlasses.

Jonathan Beilby, of York, brewer, for improvements in brewing.

Christopher Edward Dampier, of Ware, gentleman, for improvements in weighing machines.

Frank Hills, and George Hills, of Deptford, manufacturing-chemists, for certain improvements in the manufacture of sulphuric acid and carbonate of soda.

Henry Brown, of Codnor-park iron-works, Derby, iron-manufacturer, for improvements in the manufacture of steel.

Lancelot Powell, of Clydach Work, Brecon, iron-master, and Robert Ellis, of Clydach, aforesaid, agent, for certain improvements in the manufacture of iron.

William Petrie, of Croydon, Surrey, gentleman, for a new mode of obtaining a motive power by voltaic electricity, applicable to engines and other cases where a motive power is required.

Benjamin Rankin of College-street, Islington, gentleman, for a new form and combination of and mode of manufacturing blocks for pavement.

Alfred Jeffery, of Prospect-place, New Hampton, gentleman, for a new method of defending the sheathing of ships, and of protecting their sides and bottoms.

Joseph Gibbs, of Kennington, civil-engineer, for a new combination of materials for making bricks, tiles, pottery, and other useful articles, and a machine or machinery for making the same; and also a new mode or process of burning the same; which machine or machinery, and mode or process of burning, are also applicable to the making and burning of other descriptions of bricks, tiles, and pottery.

Miles Berry, of Chancery-lane, for certain improvements in machinery or apparatus for making or manufacturing nails and brads.

Charles Thomas Holcombe, of Bankside, Southwark, iron-merchant, for certain lubricating or preserving matters for wheels and axles, applicable also to the bearings, journals, or other parts of machinery.

Philemon Augustine Morley, of Birmingham, manufacturer, for certain improvements in the manufacture of sugar-moulds, dish-covers, and other articles of similar manufacture.

Edmund Taylor, of King William-street, gentleman, for certain improvements in the construction of carriages used on railroads. (A communication.)

Joseph Woods, of Laund-place, Lambeth, civil-engineer, for certain improvements in locomotive engines, and also certain improvements in machinery for the production of rotatory motion for obtaining mechanical power, which improvements in machinery are also applicable for raising or impelling fluids.

William Lewis Rham, of Winkfield, Berks, clerk, for certain improvements in machinery or apparatus for preparing land and sowing or depositing grain, seeds, and manure.

John Whitehouse, of Deptford, engineer, for an improved method of making boilers to be used in marine steam-engines.

William Joest, of Ludgate-hill, merchant, for improvements in propelling vessels.

George Bent Ollivant and Adam Howard, of Manchester, millwrights, for certain improvements in cylindrical printing machinery for printing calicoes and other fabrics, and in the apparatus connected therewith, which is also applicable to other useful purposes.

William Hannis Taylor, of Lambeth, esq., for certain improvements in propelling machinery.

Joseph Gibbs, of the Oval, Kennington, civil-engineer, for certain improvements in roads and railways, and in the means of propelling carriages thereon.

John George Bodmer, of Manchester, engineer, for certain improvements in machinery for propelling vessels on water, parts of which improvements apply also to steam-engines to be employed on land.

Edward Palmer, of Newgate-street, gentleman, for improvements in producing printing surfaces, and in the printing china, pottery-ware, music, maps, and portraits.

Alexander Horatio Simpson, of New Palace-yard, Westminster, gentleman, Peter Hunter Irvin, and Thomas Eugene Irvin, both of Charles-street, Hatton-garden, philosophical instrument makers, for an improved mode of producing light, and of manufacturing apparatus for the diffusion of light.

William Petrie, of Croydon, gentleman, for improvements in obtaining

mechanical power, which are also applicable for obtaining rapid motion.

Sir Samuel Brown, knight, of Netherbyers House, Ayton, Berwick, for improvements in the means of drawing or moving carriages and other machines along inclined planes, railways, and other roads, and for drawing or propelling vessels in canals, rivers, and other navigable waters.

Joseph Gauci, of North-crescent, Bedford-square, artist, and Alexander Bain, of Wigmore-street, Cavendish-square, mechanist, for improvements in inkstands and inkholders.

Miles Berry, of Chancery-lane, patent-agent, for a new or improved engine, machine, or apparatus, for producing or obtaining motive power by means of gases or vapours produced by combustion.

William Walker, the elder, of Standish-street, Liverpool, for an improvement or improvements in the manufacture of the detached lever watch.

George Thomas Day, of Upper Belgrave-place, Pimlico, gentleman, for an improved apparatus for creating draft, applicable to chimneys and other purposes.

John Henry Le Keux, of Southampton-street, Pentonville, for an improvement in line engraving, and in producing impressions therefrom.

Robert Stephenson, of Great George-street, Westminster, civil-engineer, for certain improvements in the arrangement and combination of the parts of steam-engines of the sort commonly called locomotive-engines.

John Chater, of the Town of Nottingham, machine-maker, and Richard Gray, of the same place, lace-manufacturer, for improvements in machinery for the purpose of making lace and other fabrics, traversed, looped, or woven.

Willoughby Methley and Thomas Charles Methley, of Frith-street, Soho, ironmongers, for improvements in machinery for raising, lowering, and moving bodies or weights.

William Losh, of Little Benton, Northumberland, esqr., for improvements in the manufacture of railway wheels.

Nathaniel Benjamin, of Camberwell, gentleman, for improvements in the manufacture of type.

William Knight, of Durham-street, Strand, gentleman, for an indicator for registering the number of passengers using an omnibus or other passenger vehicles.

William Thomas Berger, of Upper Homerton, gentleman, for improvements in the manufacture of starch.

Robert Mallet, of Dublin, engineer, for certain improvements in protecting cast and wrought iron and steel, and other metals, from corrosion and oxidation; and in preventing the fouling of iron ships, or ships sheathed with iron, or other ships or iron buoys, in fresh or sea water.

Andrew M'Nab, of Paisley, North Britain, engineer, for an improvement or improvements in the making or construction of meters or apparatus for measuring water or other fluids.

Charles Wheatstone, of Conduit-street, gentleman, for improvements in producing, regulating, and applying electric currents.

Benjamin Beale, of East Greenwich, engineer, for certain improvements in engines, to be worked by steam, water, gas, or vapours.

Thomas Peckston, of Arundel-street, Strand, Bachelor of Arts, and Philip Le Capelain, of the same place, coppersmith, for certain improvements in meters for measuring gas and other aeriform fluids.

Andrew Smith, of Belper, Derby, engineer, for certain improvements in the arrangement and construction of engines, to be worked by the force of steam, or other fluids; which improved engines are also applicable to the raising of water and other liquids.

John White Welch, of Austin-Friars, merchant, for an improved reverberatory furnace, to be used in the smelting of copper ore, or other ores which are or may be smelted in reverberatory furnaces.

Anthony Bernhard Von Rathen, of Kingston-upon-Hull, engineer, for improvements in high-pressure and other steam-boilers, combined with a new mode or principle of supplying them with water.

Joseph Ratcliffe, of Birmingham, manufacturer, for certain improvements in the construction and manufacture of hinges for hanging and closing doors.

John Lee, of Newcastle-upon-Tyne, manufacturing chemist, for improvements in the manufacture of chlorine.

James Warren, of Montague-terrace, Mile End-road, for an improved machine for making screws.

William Craig, engineer, Robert Jarvie, rope-maker, and James Jarvie, rope-maker, all of Glasgow, in the kingdom of Scotland, for certain improvements in machinery for preparing and spinning hemp, flax, wool, and other fibrous materials.

Samuel Brown, of Gravel-lane, Southwark, engineer, for improvements in the manufacture of metallic casks or vessels, and in tinning or zinking metal for such and other purposes.

John Seaward, and Samuel Seaward, of the Canal Iron Works, Poplar, engineers, for certain improvements in steam-engines.

John Harvig, of the Strand, gentleman, and Felix Moreau, of Holywell-street, Millbank, sculptor, for a new or improved process or processes for sculpturing, moulding, engraving, and polishing stone, metals, and other substances.

John Thomas Carr, of the town and county of Newcastle-upon-Tyne, for improvements in steam-engines.

Frederick de Moleyns, of Cheltenham, gentleman, for certain improvements in the production or development of electricity, and the application of electricity for the obtainment of illumination and motion.

William Walker Jenkins, of Gred, in county of Worcester, manufacturer, for certain improvements in machines for the making of pins, and sticking the same into paper.

Edmund Morewood, of Highgate, Middlesex, gentleman, for an improved mode of preserving iron and other metals from oxidation or rust.

Richard Whitaker, of Cambridge, machinist, for improvements in cutting the edges of books, and paper for other purposes; and in impressing ornaments, letters, and figures on the binding of books and on other surfaces.

Theophile Antoine Wilhelme Count of Hompesch, of Mivart's Hotel, Brook-street, Middlesex, for improvements in obtaining oils and other products from bituminous matters, and in purifying or rectifying oils obtained from such matters.

John Grafton, of Cambridge, civil engineer, for an improved method of manufacturing gas.

George Wildes, of Coleman-street, merchant, for improvements in the manufacture of white lead.

Joseph Drew, the younger, of Saint Peter's Port, for an improved method of cutting and rolling lozenges, and also of cutting gun-wads, wafers, and all other similar substances, by means of a certain machine designed by him, and constructed by divers metals and woods.

Richard Else, of Gray's-inn, esq., for certain improvements in machinery or apparatus for forcing and raising water and other fluids.

William Fairbairn, of Millwall, Poplar, engineer, for certain improvements in the construction and arrangement of steam-engines.

Miles Berry, of Chancery-lane, civil engineer, for a new or improved method or method or means of, and apparatus for, cleansing typographical characters or forms of type, after being used in printing.

Oglethorpe Wakelin Barratt, of Birmingham, metal-gilder, for certain improvements in the precipitation or deposition of metals.

Joseph Garnett, of Haslingden, dyer, and John Mason, of Rochdale, machine-maker, for certain improvements in machinery or apparatus employed in the manufacture of yarns and cloth, and are also in possession of certain improvements applicable to the same.

Edward Loos de Schelestadt, engineer and chemist, and Etienne Sterlingue, tanner, of Regent's-square, in the county of Middlesex, for certain new or improved machinery or apparatus and process for tanning skins or hides, and preparing or operating upon vegetable and other substances.

Alphonse René Le Mire de Normandy, of Redcross-square, Cripplegate, doctor of medicine, for certain improvements in the manufacture of soap.

William Crosskill, of Beverley, iron-founder and engineer, for improvements in machinery, for rolling and crushing land, and in machinery to be used in the culture of land.

William Hickling Bennett, of Ravensbourne Wood-mills, Deptford, gentleman, for improvements in machinery for cutting wood, and in apparatus connected therewith, part of which may be applied to other purposes.

Charles Louis Stanislas Baron Heurteloup, of Albany-street, Regent's-park, for an improved manufacture of continuous priming for, and improved mechanism for the application of the same to, certain descriptions of firearms.

Luke Hebert, of Birmingham, for improvements in machinery for fulling woollen cloth.

William Charlton Forster, of Bartholomew Close, gentleman, for a material, or compound of material, not hitherto so used for preventing damp rising in walls, and for freeing walls from damp, which material, or compound of material, can be applied to other purposes.

George Shillibeer, of Milton-street, Euston-square, carriage-builder, for improvements in the construction of hearses, mourning and other carriages.

William Bush, of Deptford, engineer, for improvements in the means of, and in the apparatus for, building and working under water.

Comte Melano de Calcina, of Nassau-street, Soho, for improvements in paving or covering roads, and other ways, or surfaces.

John Duncan, of Great George-street, Westminster, gentleman, for improvements in machinery for driving piles.

Henry Bessemer, of Baxted House, Saint Pancras, engineer, and Charles Louis Schonberg, of Sidmouth-place, Gray's-inn-lane-road, artist, for improvements in the manufacture of certain glass.

James Whitelaw, engineer, of Glasgow, and James Stirratt, manufacturer, of Paisley, Renfrew, for improvements in rotory machines to be worked by water.

Jean Louis Alphonse Petigars, of Brewer-street, Golden-square, gentleman, for improvements in the construction of presses.

Hugh Lee Pattison, of Benshamgrove, Gateshead, manufacturing-chemist, for improvements in the manufacture of white lead, part of which improvements are applicable to the manufacture of magnesia and its salts.

Joseph Miller, of Monastry Cottage, East India-road, engineer, for an improved arrangement and combination of certain parts of steam-engines used for steam navigation.

Joseph Clisild Daniell, of Tiverton Mills, Bath, for improvements in the manufacture of manure, or a composition to be used on land as a manure.

Benjamin Anigworth, of Birmingham, gentleman, for improvements in the manufacture of buttons.

John Jones, of Smethwick, Birmingham, engineer, for certain improvements in steam-engines, and in the modes or methods of obtaining power from the use of steam.

William Newton, of Chancery-lane, civil-engineer, for certain improvements in engines to be worked by gas vapour or steam.

Moses Poole, of Lincoln's-inn, gentleman, for improvements in fire-arms.

John Bradford Furnival, of Street Ashton, farmer, for improvements in evaporating fluids, applicable to the manufacture of salt, and to other purposes where evaporation of fluids is required.

Henry Davies, of Birmingham, engineer, for certain improved tools, or apparatus for cutting, or shaping metals and other substances.

James Whitworth, of Bury, Lancaster, manufacturer, and Hugh Booth, of the same place, machine-maker, for certain improvements in looms for weaving.

Martin John Roberts, of Brynycaeran, Carmarthen, gentleman, and William Brown, of Glasgow, merchant, for improvements in the process of dyeing various matters, whether the raw material of wool, silk, flax, hemp, cotton, or other similar fibrous substances, or the same substances in any stage of manufacture, and in the preparation of pigments or painters' colours.

Thomas Holcroft, of Nassau-street, Middlesex, gentleman, for an improved portable safety boat or pontoon.

William Golden, of Huddersfield, gun-maker, and John Hanson, of the same place, lead-pipe manufacturer, for certain improvements in fire-arms, and in the bullets or other projectiles to be used therewith.

Thomas Macaulay, of Curtain-road, upholsterer, for certain improvements in bedsteads, which are convertible into other useful forms or articles of furniture.

Robert Logan, of Blackheath, esq., for improvements in obtaining and preparing the fibres and other products of the cocoa nut and its husk.

Robert Holt, of Manchester, cotton-spinner, and Robinson Jackson, of Manchester, aforesaid, engineer, for certain improvements in machinery, or apparatus for the production of rotary motion, for obtaining mechanical power, which said improvements are also applicable for raising and impelling fluids.

Henry Kirk, of Tavistock-square,

gentleman, for a substitute for ice for skating and sliding purposes.

William Brunton, of Neath, Glamorganshire, engineer, for an improved method or means of dressing ores and separating metals or minerals from other substances.

Jules Lejune, of North-place, Cumberland-market, manufacturing-chemist, for a means of condensing and collecting the sulphurous and metallic vapours which are evolved in the treatment by heat of all kinds of ores.

Job Cutler, of Ladypool-lane, Birmingham, gentleman, for improvements in the construction of the tubular flues of steam-boilers.

John Carr, of North Shields, earthenware-manufacturer, and Aaron Ryles, of the same place, agent, for an improved mode of operating in certain processes for ornamenting glass.

Jesse Ross, of Leicester, manufacturer, for a new wool-combing apparatus.

Henry Davies, of Birmingham, engineer, for certain improved machinery suitable for applying power to communicate locomotion to bodies requiring to be moved on land or water.

William Edward Newton, of Chancery-lane, civil engineer, for certain improvements in the production of ammonia.

William Palmer, of Sutton-street, Clerkenwell, manufacturer, for improvements in the manufacture of candles. (Being partly a communication.)

John Garnett, of Liverpool, merchant, and Joseph Williams, of Liverpool, aforesaid, manufacturing-chemist, for an improved method of manufacturing salt from brine.

Edward Joseph Francois Duclos de Boussons, of Clyne Wood Metallurgical-works, Swansea, for improvements in the manufacture of copper.

James Young, of Newton-le-Willows, chemist, for certain improvements in the manufacture of ammonia, and the salts of ammonia, and in apparatus for combining ammonia, carbonic acid, and other gases with liquids.

John Squire, of Albany-place, Regent's-park, engineer, for certain improvements in the construction of steam-boilers or generators.

John Venables, of Burslem, in the county of Stafford, earthenware-manufacturer, and John Tunnicliff, of the same place, bricklayer, for a new and improved method of building and constructing ovens used by potters and china-manufacturers in the firing of their wares.

William Mainwaring, of York-street, Lambeth, engineer, for certain improvements in the manufacture of sugar.

Richard Gurney, of Trewinnion-house, Cornwall, for a method of cutting wood and incrusting the same in order to present a sure footing for horses, and other purposes.

Robert Wilson, of Sowerby Bridge, Halifax, currier and tanner, for improvements in the manufacture of leather.

William Irving, of Princes-street, Rotherhithe, gentleman, for improvements in the manufacture of bricks and tiles.

James Colman, of Stoke Holy Cross, Norfolk, starch-manufacturer, for improvements in the manufacture of starch.

William Henry Fox Talbot, of Lacock Abbey, Wilts, esq., for improvements in coating or covering metals with other metals, and in coloring metallic surfaces.

Josiah Taylor, of Birmingham, brass-founder, for improvements in the construction of lamps.

William Westley Richards, of Birmingham, gun-maker, for improvements in the construction of gun and pistol locks and primers for the discharge of fire-arms.

William Neilson, builder, David Lyon, builder, and Peter Mc Onie, engineer, all of Glasgow, for a mode, or modes of, or an improvement, or improvements in cutting, dressing, preparing, and polishing stones, marble, and other substances, and also in forming flat or rounded mouldings, and other figures thereon.

John Norton, of the Junior United Service Club, Regent-street, esq., for improvements in sheathing ships and other vessels.

William Church, of Birmingham, civil-engineer, and Jonathan Harlow, of the same place, manufacturer, for certain improvements in the mode of manufacturing metallic tubes, and in the mode of joining them, or other tubes or pieces, for various useful purposes.

Thomas Starkey, of Birmingham, copper cap-manufacturer, for improvements in percussion caps for discharging fire-arms.

John Bould, of Overden, Halifax, cotton-spinner, for an improvement or improvements in condensing steam-engines.

Antoine Jean Francois Claudet, of High Holborn, glass-merchant, for certain improvements in the process or means of, and apparatus for, obtaining images or representations of nature or art.

Henry Hough Watson, of Bolton-le-Moors, Lancashire, consulting-chemist, for certain improvements in dressing, stiffening, and finishing cotton and other fibrous substances, and textile and other fabrics, part or parts of which improvements are applicable to the manufacture of paper, and also to some of the processes or operations connected with printed calicoes and other goods.

Ovid Topham, of Whitecross-street, engineer, for improvements in engines, machines, apparatus, or means for extinguishing, stopping the progress of fire in any room or part of different buildings which may have become ignited, such as noblemen or gentlemen's mansions, houses, factories, store and warehouses, and consequently preserving them from destruction, and preventing loss of life.

John Oliver York, of Upper Coleshill-street, Eaton-square, engineer, for improvements in the construction of railway axles and wheels.

Thomas Wright, of Church-lane, Chelsea, lieutenant in the royal navy, and Alexander Bain, of Percival-street, Clerkenwell, mechanist, for improvements in applying electricity to control railway engines and carriages, to mark time, to give signals, and print intelligence at distant places.

William Carr Thornton, of Cleckheaton, machine-maker, for certain improvements in machinery or apparatus for making cards for carding cotton and other fibrous substances.

POETRY.

LINES

WRITTEN BY L. E. L. SHORTLY BEFORE HER DEPARTURE ON HER FATAL AFRICAN VOYAGE.

(*From "Blanchard's Life and Literary Remains of L. E. L."*)

My own kind friend, long years may pass
  Ere thou and I shall meet,
Long years may pass ere I again
  Shall sit beside thy feet.

My favourite place!—I could look up
  And meet in weal or woe
The kindest looks I ever knew—
  That I shall ever know.

How many hours have passed away
  In that accustomed place,
Thy answer lighting, ere it came,
  That kind and thoughtful face.

How many sorrows, many cares,
  Have sought thee like a shrine!
Thoughts that have shunn'd all other thoughts
  Were trusted safe to thine.

How patient and how kind thou wert!
  How gentle in thy words!
Never a harsh one came to mar
  The spirit's tender chords.

In hours of bitter suffering
  Thy low sweet voice was near;
And every day it grew more kind,
  And every day more dear.

The bitter feelings were assuaged,
  The angry were subdued,
Ever thy gentle influence
  Call'd back my better mood.

Am I too happy now?—I feel
Sometimes as if I were;
The future that before me lies
Has many an unknown care.

I cannot choose but marvel too,
That this new love can be
More powerful within my heart
Than what I feel for thee.

Didst thou thyself once feel such love
So strong within the mind,
That for its sake thou wert content
To leave all else behind?

And yet I do not love thee less—
I even love thee more;—
I ask thy blessing, ere I go
Far from my native shore!

How often shall I think of thee,
In many a future scene!
How can affection ever be
To me, what thine has been!

How many words, scarce noticed now,
Will rise upon my heart,
Touched with the deepest tenderness,
When we are far apart!

I do not say forget me not,
For thou wilt not forget;
Nor do I say regret me not—
I know thou wilt regret!

And bitterly shall I regret
The friend I leave behind,
I shall not find another friend
So careful and so kind.

I met thee when my childish thoughts
Were fresh from childhood's hours,
That pleasant April time of life
Half fancies and half flowers.

Since then how many a change and shade,
In life's web have been wrought!
Change has in every feeling been
And change in every thought.

But there has been no change in thee,
Since to thy feet I came,
In joy or sorrow's confidence,
And still thou wert the same.

Farewell, my own beloved friend!
A few years soon pass by;
And the heart makes it own sweet home
Beneath a stranger sky.

A home of old remembrances
Where old affections dwell;
While Hope, who looks to other days,
Soothes even this farewell.

Strong is the omen at my heart,
That we again shall meet;
God bless thee, 'till I take, once more,
My own place at thy feet!

FROM "VIVIA PERPETUA," A DRAMATIC POEM,

BY SARAH FLOWER ADAMS.

VIVIA PERPETUA, *daughter of* VIVIUS *a noble Roman of Carthage, has secretly become a Christian.*

ACT II.—SCENE I.

Garden of VIVIA PERPETUA.

FELICITAS, (*a Christian slave.*)

FELICITAS. Yet pacing to and fro, and where so oft
I've seen her glide about, or smiling wait
To look upon some flower that pleased her fancy.
A sorry chance for rest, methinks, have they
Who hurry up and down for it. She stops;
What looks she at?—the amphitheatre?
Hath she a mind to see the festival,
And so forget? She turns and comes this way:
I'll try and wile her from those troubling thoughts
Back to her garden.

Enter VIVIA.

VIVIA. Saturus has come?
FELICITAS. Nay, madam; see, the season 's coming on:
The lilies here are struggling through the mould.

VIVIA. Again another voice, and still reproach:
They give green promise that their summer's prime
Shall waft sweet proclamation on the air
Of Him who loved the lilies of the field.
Inanimate things above their natures rise,
To bear Him witness; I alone am mute—
Mute to deceive.

FELICITAS. Dear lady, sure to know
A treasure safe one's own, it were enough:
For me, I like to look straight in the eyes
That think they have the rule of me,—my thought
Meanwhile, nor you, nor any are my master,
Save only One above—the Lord of all!—
Come let thy garden pleasure thee again.

VIVIA. There are too many thorns. Felicitas,
He wore them as a crown; for me, alas,
They are a wilderness! O mighty Counsellor,
Would that thy human self again wert here,
To shew the way.

FELICITAS. But Saturus hath said,
A blessing waits on those who do believe,
Not having seen.

VIVIA. Sure they were doubly bless'd
Who saw his face—who listen'd to his words.
O happy Mary, thou of Bethany,
Give me but one of all those precious hours
That found thee at his feet!

FELICITAS. Madam, but see
How the buds open on the olive trees.

VIVIA. To breathe of blessings from the sacred mount.
Look round, Felicitas—all bear Him witness:
Yon fountain—was 't a fountain?—nay, a well—
Was hallowed by a promise, while He made
His wayside-rest in bann'd Samaria;—
What says that silver whisper? Speak for Him
Who gave thee living water. The free waves
All chorus forth—We sing of Galilee:
Of Him who said unto the world's fierce storms,
As to our raging waters, Peace, be still!
The amphitheatre, e'en now it swelled
Out of the dust, big with this history,
That Christ did suffer death to give all life:
Me life, that have not even voice for Him,
While breathless things all utter forth his praise.
Those marble forms within, do they not grow
Intelligent with my oft-repeated vows,
And seem to live again the noble deeds
To emulate his life? I idle as stone.

FELICITAS. Dear madam, best go in—'tis chill, and see
The light hath faded from the temple's height.

VIVIA. The temple?—yes, to the temple! Standing there
For the last time, will I unto great Jove
Tell out my faith, and make renunciation.
FELICITAS. But think—
VIVIA. And act!

[*They enter within.*]

SCENE IV.

Temple of Jupiter Olympus.

VIVIA PERPETUA *at an altar burning before a statue of the god.*

VIVIA.—Lo! where, all trembling, I have knelt and pray'd;
Where vow and sacrifice, at morn and eve,
Shrouded in incense dim, have risen to appease
The wrath, great Jove, of thy once-dreaded thunder,—
Up to the might of thy majestic brows,
Yet terrible with anger, thus I utter,—
I am no longer worshipper of thine!
Witness the firm farewell these steadfast eyes
For ever grave upon thy marble front;
Witness these hands—their trembling is not fear—
That on thine altar set for evermore
A firm renouncing seal—I am a Christian!

Where are thy lightnings?—where thine awful thunder?
Melted from out thy grasp by love and peace!
Hushed are those timorous whisperings of fear;
Only sad Echo roaming through the space,
Lingers upon her way, again to catch
Sounds fraught with joy, seld heard within thy temple.

The shadows blacken, and the altar-flame
Troubles them into motion. God of stone,
For the last time, farewell! and farewell ye,
The altar where my childhood's wreath was flung,
Frail as the faith that claimed its dedication!
Yon niche, where an apart was sought, alone,
From crowds that own'd no reverence for him
They called their god—is still the god they name!
Unconscious treasury of tears, that oft
Fell, like fast rain, upon those senseless stones,
That, like yon image, then a deity,
Lent no returning pity. Jove, give back—
Give back those tears were shed in vain for thee;
Give back those trembling vows were made to thee;
Give back the sacrifice was made to thee,—
That I may render all to that dear God
Hath freed me from those agonies of fear
Thou reckonest for worship. Oh! to Him

Vows upward rise like springing flowers, from whom
Sweet mercy first hath dropp'd the precious seed;
And sacrifice, that ceaseth while it maketh,
So much of love doth mingle with the deed;
And blessed prayer that wings the trusting soul
At once into the Heaven where he dwells;
And while we hallow his Almighty name,
Doth teach us say, Our Father. Hear me now:
Hear, thou great God of love; hear, blessed Christ!
Ye, dwelling not in temples made with hands,
Up in the eternal greatness of the heav'ns—
Bear witness, all ye myriads of angels,
That, like to radiant stars, cluster in heav'n;
Thus, on my knees,—thus—thus, before the Lord,
I solemn vow,—record it, all ye hosts,—
Never again to come within this temple,
Whate'er the penalty, or death to me,
Or agony—worse death—to those I love.
Upon my head so let it come, O God!

THE JACKDAW OF RHEIMS.

(*From the Ingoldsby Legends.*)

The Jackdaw sat on the Cardinal's chair!
Bishop and Abbot and Prior were there:
Many a monk, and many a friar,
Many a knight, and many a squire,
With a great many more of lesser degree,—
In sooth, a goodly company;
And they served the Lord Primate on bended knee.
Never, I ween,
Was a prouder seen,
Read of in books, or dreamt of in dreams,
Than the Cardinal Lord Archbishop of Rheims!

In and out,
Through the motley rout,
That little Jackdaw kept hopping about;
Here, and there,
Like a dog in a fair,
Over comfits and cates,
Dishes and plates,
Cowl and cope and rochet and pall,
Mitre and crozier, he hopped upon all!
With a saucy air,
He perched on the chair

Where in state the great Lord Cardinal sat
In the great Lord Cardinal's great red hat;
And he peered in the face
Of his Lordship's Grace
With a satisfied look, as if he would say,
"We two are the greatest folks here to-day!"
And the priests, with awe,
When such freaks they saw,
Said "The devil must be in that little Jackdaw!"

The feast was over, the board was cleared,
The flawns and the custards had all disappeared,
And six little singing-boys,—dear little souls!
In nice clean faces, and nice white stoles,
Came in order due
Two and two
Marching that grand refectory through!
A nice little boy held a golden ewer,
Embossed, and filled with water as pure
As any that flows between Rheims and Namur,
Which a nice little boy stood ready to catch
In a fine gold hand-basin made to match.
Two nice little boys, rather more grown,
Carried lavender-water and Eau-de-Cologne;
And a nice little boy had a nice cake of soap,
Worthy of washing the hands of the Pope.
One little boy more
A napkin bore,
Of the best white diaper, fringed with pink
And a Cardinal's Hat marked in permanent ink.

The great Lord Cardinal turns at the sight
Of these nice little boys dressed all in white:
From his finger he draws
His costly turquoise;
And, not thinking at all about little Jackdaws,
Deposits it straight
By the side of his plate,
While the nice little boys on his eminence wait;
Till, when nobody's dreaming of any such thing,
That little Jackdaw hops off with the ring.

* * * * *

There's a cry and a shout
And a deuce of a rout,
And nobody seems to know what they're about,
But the monks have their pockets all turn'd inside out;
The friars are kneeling,
And hunting, and feeling
The carpet, the floor, and the walls, and the ceiling.

The Cardinal drew
Off each plum-coloured shoe,
And left his red stockings exposed to the view;
He peeps and he feels
In the toes and the heels.
They turn up the dishes, they turn up the plates,
They take up the poker and poke out the grates,
They turn up the rugs,
And examine the mugs:
But no!—no such thing;
They can't find the ring;
And the Abbot declared that when nobody twigg'd it,
Some rascal or other had popp'd in and prigg'd it.

The Cardinal rose with a dignified look,
He called for his candle, his bell and his book!
In holy anger and pious grief,
He solemnly cursed that rascally thief!
He cursed him at board, he cursed him in bed;
From the sole of his foot to the crown of his head;
He cursed him in sleeping, that every night
He should dream of the devil, and wake in a fright;
He cursed him in eating, he cursed him in drinking,
He cursed him in coughing, in sneezing, and winking;
He cursed him in sitting, in standing and lying,
He cursed him in walking, in riding, in flying,
He cursed him living, he cursed him dying!—
Never was heard such a terrible curse;
But, what gave rise
To no little surprise,
Nobody seemed one penny the worse!

The day was gone,
The night came on,
The monks and the friars they search'd till dawn;
When the Sacristan saw
On crumpled claw,
Come limping a poor little lame Jackdaw!
No longer gay,
As on yesterday;
His feathers all seemed to be turned the wrong way;
His pinions droop'd, he could hardly stand,
His head was as bald as the palm of your hand;
His eye so dim,
So wasted each limb,
That, heedless of grammar, they all cried, "That's him!
That's the scamp that has done this scandalous thing!
That's the thief that has got the Lord Cardinal's ring!"
The poor little Jackdaw,
When the monks he saw,
Feebly gave vent to the ghost of a caw;

And turned his bald head, as much as to say,
" Pray be so good as to walk this way !"
Slower and slower,
He walked on before,
'Till they came to the back of the belfry door,
Where the first thing they saw,
'Midst the sticks and the straw,
Was the ring in the nest of that little Jackdaw !

Then the great Lord Cardinal called for his book,
And off that terrible curse he took ;
The mute expression
Served in lieu of confession,
And being thus coupled with full restitution,
The Jackdaw got plenary absolution.
When those words were heard,
That poor little bird
Was so changed in a moment, 'twas really absurd ;
He grew sleek and fat ;
In addition to that,
A fresh crop of feathers came thick as a mat!
His tail waggled more
Even than before ;
But no longer it wagged with an impudent air,
No longer he perch'd on the Cardinal's chair.
He hopped now about
With a gait devout ;
At matins, at vespers, he never was out ;
And, so far from any more pilfering deeds,
He always seemed telling the confessor's beads.
If any one lied, or if any one swore,
Or slumbered in prayer-time, and happened to snore,
That good Jackdaw
Would give a great " caw,"
As much as to say " Don't do that any more !"
While many remarked, as his manners they saw,
That they never had known such a pious Jackdaw !
He long lived the pride
Of the country side,
And at last in odour of sanctity died ;
When, as words were too faint
His merits to paint,
The conclave determined to make him a saint ;
And on newly-made saints and popes, as you know,
It's the custom at Rome new names to bestow,
So they canonized him by the name of " Jem Crow !"

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